

16th March, 2023
(D/L No.18)
(SKB)

W.P.A. 4992 of 2023

Nirmal Pradhan and others
Versus
The State of West Bengal and others

Ms. Kumkum Mukherjee,
Ms. Akanksha Mukherjee
... for the petitioners.

Mr. Santanu Kumar Mitra,
Mr. Sudip Sarkar
... for the State.

Mr. P. C. Bhattacharyya,
Mr. Chandan Kumar Lal
... for the respondent no.3.

The petitioners are protected by an interim order of 6th March, 2023 by which the respondents were directed not to give effect to the sale scheduled to be held on 8th March, 2023.

After hearing learned counsel appearing for the Bank, it appears that the petitioners owe a sum of Rs.14 lacs as the principal amount to the Bank. Counsel further Bank submits that the petitioners availed the loan in the year 2017 and hence the excuse of 'Amphan', which happened on 20th June, 2020, could not be used at all by the petitioners.

Learned counsel appearing for the petitioners offers to pay the principal amount of Rs.14 lacs in easy installments.

After hearing counsel appearing for the parties, W.P.A.4992 of 2023 is disposed of with a direction on the petitioners to pay Rs.75,000/- within the first ten days of every month for a continuous period of sixteen months or until the entire amount of Rs.14 lacs as principal is paid by the petitioners to the Bank. The principal amount shall carry an interest of 6% per annum. The petitioners shall pay the interest component of the principal amount to the Bank at the end of sixteen installments and within 10 weeks thereafter. The first installment shall be paid within 10th April, 2023 and the following installments shall be paid as directed above.

The respondents shall not take any steps in terms of the impugned Notices of Sale till 4 weeks after the 16th month or when the last installment falls due. This is only in the event the petitioners default in their repayment obligations.

(Moushumi Bhattacharya, J.)