

05.04.2023

Sl no. 4
Ct no. 2
P.M.

WPA 6633 OF 2023

M/s. P.M. Enterprise.

- Vs -

The State of West Bengal & Ors.

Mr. Tarun Kumar Das,
Mr. Bhaskar Sengupta
... for the petitioner
Mr. Pradip Kumar Ray,
Mr. Joydeep Roy
... for respondent No. 2 & 3
Mr. Srijan Nayek,
Mr. Rituparna Maitra
... for the State
Mr. Madan Mohan Roy
... for respondent No. 4 & 7

Affidavit of undertaking filed by the petitioner
in Court is kept with the record.

Heard learned advocates appearing for the
parties.

Pursuant to the earlier order of this Court
dated 3rd April, 2023 petitioner has filed an
undertaking in the form of affidavit indicating the
manner and mode of repayment of loan in paragraph
2 of such undertaking which is quoted hereunder : -

*“2. That I undertake before the Hon’ble Court
that out of the said Rs. 12,14,609/-, I shall deposit Rs.
2,14,609/- at the office of the respondent No. 4 within
30th April, 2023 and I also undertake before the
Hon’ble Court that I shall deposit and/or repay the
rest amount of Rs. 10,00,000/- by 5 equal monthly*

installments i.e. Rs. 2,00,000/- each within 30th day of the following five months, i.e. the 2nd installment of Rs. 2,00,000/- I shall deposit within 30th May, 2023, the 3rd installment Rs. 2,00,000/- I shall deposit within 30th June, 2023, the 4th installment of Rs. 2,00,000/- I shall deposit within 30th July, 2023 the 5th installments of Rs. 2,00,000/- I shall deposit within 30th August, 2023 and the 6th and final installment of Rs. 2,00,000/- I shall deposit within 30th September, 2023 respectively. I also undertake that if I fail to pay the aforesaid amount within 30th September, 2023 the respondent authority may take appropriate steps against me in accordance with law.”

Learned advocate appearing for the respondent bank does not have any objection in the mode and manner of making repayment as indicated in the aforesaid paragraph 2 of such affidavit of undertaking.

Considering the submission of the parties and aforesaid affidavit this writ petition being WPA 6633 of 2023 is disposed of by directing the petitioner to make the repayment of loan as one time settlement in the mode and manner as he has indicated in the aforesaid undertaking.

In case of default in the mode and manner of payment undertaken by the petitioner, the respondent bank authority will be free to take action against the petitioner for recovery of the loan in accordance with law by issuing fresh auction notice.

(Md. Nizamuddin, J.)