

03.05.2023

Sl no. 154

Ct no. 2

P.M.

WPA 7814 OF 2023

Abdul Hasnat.

- Vs -

The State of West Bengal & Ors.

Mr. Saikat Chatterjee

Mr. Puranjan Pal

... for the petitioners

Mr. Maloy Kumar Roy

... for respondent No. 3 & 4

Mr. Srijan Nayak,

Mr. Ankit Sureka,

Mr. Biplab Das

... for respondent No. 4

Mr. Pradip Kumar Roy,

Mr. Prabir Kumar Ray,

Mr. Joydeep Roy

..... for the State.

Heard learned advocates appearing for the parties including the respondent Bank.

Petitioner has filed this writ petition being aggrieved by coercive steps taken by the respondent bank for auctioning the property of the petitioner for recovery of the loan which comes to Rs. 10,31,959/- (including the interest) as submitted by learned advocate appearing for the respondent bank.

Pursuant to the earlier order of this Court dated 26th April, 2023 by which petitioner was asked to make arrangement for payment of 50% of the total due and to show his bonafide petitioner has made

attempt to bring bank draft but due to technical difficulty it could not be done and petitioner is ready and agreeable to deposit a sum of Rs. 5 lakhs in cash towards the part of the repayment of loan amount.

Considering the facts and circumstances of this case and submission of the parties this writ petition being WPA 7814 of 2023 is disposed of by restraining the respondent bank authority concerned from taking any coercive action of recovery by auctioning the property in question of the petitioner on condition that petitioner shall deposit in cash Rs. 5 lakhs to the respondent bank by 8th May, 2023 positively and the balance amount of Rs. 5,31,959/- in four equal monthly installments, within 10th day of every month starting from June, 2023.

In case of default in making the payment in terms of this order, the respondent bank will be free to take steps for recovery of its loan in accordance with law.

(Md. Nizamuddin, J.)