IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.5415/2023
(Balwant V Central Bank of India and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. N.D. Khamborkar, Advocate for petitioner.

CORAM : Nitin W. Sambre & Abhay J. Mantri, JJ
DATE : 13-12-2023.

Heard learned Counsel for the petitioner.

2. By this petition, the petitioner is challenging the application of the 'Cent Swabhiman Plus Scheme' (for short, "Scheme"), to him in the year 2016 is illegal and contrary to the public policy. It is contended that the respondent had introduced a wrong scheme to him and was compelled to make an application for a loan. Accordingly, a loan of Rs. 55 Lakh was sanctioned to him, out of which Rs.14,81,500/- was deposited in MMDC deposit and Rs. 30,13,875/- was credited to the Insurance Company and only Rs.10,04,625/- was disbursed to him against the loan. It is also averred that the Scheme was not applicable while obtaining the loan, but the respondents forcefully granted the loan under the said Scheme and therefore, he submitted that the action on the part of respondents is contrary to the law.

3. Having heard the same, it seems that in the year 2015, he applied for a loan, and on 29-11-20216, the loan was sanctioned. He has also availed the loan and after a period of 5 years, he has raised the grievances. Moreover, he has not produced any documents on record regarding the said Scheme. He is not disputing about the

availment of the loan. It is pertinent to note that, on one hand, the petitioner has availed of the loan facility and after a period of 5 years he is questioning the same. Thus it seems that questioning the availment of the said loan after a period of 5 years is not justified.

4. Secondly, he failed to point out, how the said Scheme was not applicable while obtaining the loan when he had executed the documents in favour of the bank in that regard. Thus, we do not find any substance in the contention of the petitioner that the Bank has forcibly applied the Scheme to him while disbursing the loan. Hence, we are not inclined to grant relief as prayed by the petitioner in the petition.

5. Thus, the petition is dismissed with no order as to costs.

(**Abhay J. Mantri, J.**) (**Nitin W. Sambre, J.**)

Deshmukh