

Item No.22
26.09.2024
Court. No. 19
GB

WPA 2445 of 2024

Madhusudan Chakraborty
Vs.
Union of India & Ors.

*Mr. Ranjan Kali,
Ms. Mitul Chakraborty,
Ms. Payel Nath*

...for the Petitioner.

*Ms. Aparajita Rao,
Ms. Swastika Roy*

...for the Bank.

The petitioner challenges the cancellation of the One Time Settlement by the Canara Bank. The cancellation was on the ground of failure of the petitioner to honour his commitment under the One Time Settlement.

The writ court cannot force a bank to agree to the subsequent proposal of the petitioner for payment of the defaulted amount within an extended period. The court cannot extend such period by issuing a writ of mandamus.

Under such circumstances, as it has been informed to the Court that the sale notice has not yet been published, one last opportunity is given to the petitioner to offer his proposal to the bank within a week from date. The bank will decide on the acceptability of such proposal within October 21, 2024. The bank shall not take any coercive measures with regard to the property upto November 15, 2024. If the bank agrees or comes up with an offer and the petitioner complies with such offer, the matter can be settled accordingly. If the negotiation

fails, the bank can take steps in accordance with law, after November 15, 2024.

Accordingly, the writ petition is disposed of.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)