

Item No.23
03.10.2024
Court. No. 9
GB

W.P.A. 8874 of 2024

Sujit Mondal & Anr.
Vs.
Regional Manager, Ujjivan Small Finance
Bank Limited & Ors.

Ms. Dhriti Das

...for the Petitioners.

Mr. Jit Ray

...for the Respondent Nos.1 & 2.

1. Affidavit-of-service filed in Court today, is taken on record.
2. The petitioners pray that some time may be allowed by the bank to pay up the amount due, by considering their hapless condition. Submission is made that due to the COVID pandemic and as the petitioner no.1 was a migrant worker, the dues of the bank could not be paid on time. Some payments have already been made. Second submission is that the District Magistrate had wrongly passed an order allowing the bank to take possession of the property.
3. The bank submits that auction notice/sale notice has not yet been published.
4. Under such circumstances, the petitioners are granted an opportunity to approach the bank with a proposal. Such approach shall be made within 10 days from date. The bank shall consider the same and inform the petitioners its opinion or views, on such proposal. Till December 31, 2024 or till a decision is reached on the

proposal and counter-proposal of the parties, whichever is earlier, no coercive measure shall be taken in respect of the property in question.

5. The law is well-settled. Whether the bank will accept a One Time Settlement is entirely the discretion of the bank and no court can mandate the bank to accept any such proposal.
6. Accordingly, the writ petition is disposed of.
7. Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)