

WPA 26499 of 2024

**Puspa Shaw @ Pushpa Shaw & Anr.
Vs.
The District Magistrate Howrah & Ors.**

Mr. Debjit Mukherjee
Mr. S. Chakraborty
Ms. B. Pramanik

... .. for the petitioners

1. The present writ petition has been preferred praying for direction that respondent No.3 should not give effect to the e-auction sale notice dated 21.09.2024.
2. Learned counsel appearing for the Canara Bank has placed a document before this Court which is dated 29.12.2023 wherein it appears that a settlement has been arrived at between the Bank and the writ petitioner wherein dispute has been settled between the parties.
3. It is submitted by the learned counsel for the writ petitioners that though their loan was for a sum of Rs.39 lakhs, the same has enhanced to Rs.65,79,452.05 lakhs by way of interest. As the petitioners are facing severe financial crisis, they require sufficient installments to repay the said loan. They

have every intention of honouring the said settlement.

4. Considering the said fact, the writ petition is disposed of with a direction that the parties shall abide by the said settlement and the writ petitioners are granted 8 equal monthly installments and the first of which is to be paid by the 15th November, 2024 and also by the 15th of subsequent months and fraction, if any, is to be paid in the last installment.
5. On undertaking given by the writ petitioners, the e-auction notice dated 21.09.2024 be stayed. It is clarified that in case the writ petitioners default in making the payment of the installments as directed, the respondents shall be at liberty to proceed in accordance with law and the stay shall stand automatically vacated.
6. The writ petitioners are also granted liberty that they may repay the total outstanding amount even prior to the said installments granted, if it is possible and the respondents shall act accordingly.
7. With the aforesaid directions, this writ petition is disposed of.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Shampa Dutt (Paul), J.)