

149 12-12-2024
AKG
Ct. 15

WPA 29073 of 2023

**Dakshin Durgapur Chanchalamayee Adarsha High School
Employee's Co-operative Credit Society & Anr.
Vs.
State of West Bengal & Ors.**

Ms. Soma Kar Ghosh,
Ms. Suparna Paul
...for the Petitioners
Mr. Srijan Nayak,
Mr. Ankit Sureka,
Mr. Asis Dutta
...for Respondent Nos. 4 & 5
Mr. Kamal Mishra,
...for Respondent No. 15
Mr. Sadhan Halder,
Ms. Tanuja Basak
...for the State
Mr. Sukanta Chakraborty
...for Respondent Nos. 7 & 8

Respondent No. 15, a teacher at Dakshin Durgapur Adarsha High School in South 24 Parganas, obtained a short-term loan of Rs. 66,156/- and a mid-term loan of Rs. 3,77,000/- on August 31, 2016, from the Dakshin Durgapur Chanchalamayee Adarsha High School Employee's Co-operative Credit Society Ltd, the petitioner. This loan was facilitated by West Bengal State Co-operative Bank Ltd. (in short, the bank). It is an admitted fact that Respondent No. 15 defaulted on the repayment of these loan amounts.

However, on or about November 11, 2024, the petitioner, the bank and Respondent No. 15 reached an agreement to settle the outstanding loan amounts through a one-time settlement. As per this agreement, Respondent No.

15 was required to pay a sum of Rs. 7,79,774/- as a one-time settlement to discharge the bank's and society's claims.

When the matter was brought before the Court on November 14, 2024, the Court directed Respondent No. 15 to deposit Rs. 1 lakh into the petitioner's account (S.B.A/C. No. 129345199770) by November 30, 2024.

Today, the bank has informed the Court that it is willing to accept the remaining amount of Rs. 6,79,774/- within six months from the present date. The bank further proposed that the remaining amount be deposited into a separate account, which the bank will open for this purpose.

In light of the stand taken by the bank today, there is no need to keep this writ petition pending. Accordingly, this writ petition is disposed of with a direction to Respondent No. 15 to deposit Rs. 6,79,774/- in six equal installments into the account to be opened by the bank. First of such installments is to be paid within first week of January 2025. The remaining installments should be paid within the first week of the five following months. The bank is directed to provide the account number to Mr. Kamal Mishra, the learned advocate for Respondent No. 15, and Ms. Soma Kar Ghosh, the learned advocate for the petitioners, within three days from today.

It is further directed that in the event of failure by Respondent No. 15 to clear the outstanding dues as per this order, the District Inspector of Schools, South 24 Parganas,

shall stop Respondent No. 15's monthly salary and deposit the same into the aforementioned account of the bank until the loan is fully recovered, together with interest at the rate of 9% per annum for the delayed period of payment.

The society shall remit the sum of Rs. 1 lakh deposited with it to the same account within ten days from today, together with the accrued interest, if any.

Accordingly, **WPA 29073 of 2023** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)