

02.01.2025
Sl.No.A2400
Ct. No.15
S.A.

WPA 16997 of 2024

**The Khatra Peoples' Cooperative
Bank Limited & Anr.**

-vs-

The State of West Bengal & Ors.

Mr. Madan Mohan Roy

...for the petitioners

Ms. Tanwishree Mukherjee

...for the State

Mr. Pradeep Kumar Roy

Mr. Partha Sarathi Pal

.....for respondent nos.5 & 6

Respondent no.13 is not represented. Mr. Rabindranath Basak, learned advocate representing the State, is also absent. Ms. Tanwishree Mukherjee, learned advocate appearing for the State as junior to Mr. Basak, seeks time to take instructions.

The petitioners allege that respondent no.13 took a loan of Rs. 5,50,000 (Rupees five lakh and fifty thousand) with an interest rate of 12% per annum from the petitioners on October 14, 2009. The loan amount was to be repaid in 200 installments of Rs. 10,000 each, with the final installment due on June 14, 2026. The first installment was to be paid in November 2009.

Respondent no.13 had provided an undertaking that, in the event of default, the loan amount would be repaid by way of salary deductions.

It is further alleged that respondent no.13 defaulted on the payments, and as of May 16, 2024, a sum of Rs. 14,49,683 (Rupees fourteen lakh, forty-nine thousand, six hundred and eighty-three) inclusive of interest remains outstanding.

Through this writ petition, the petitioners seek a direction for the payment of the outstanding loan amount.

I find no reason to keep this writ petition pending. Accordingly, I dispose of this writ petition with the following directions:

The District Inspector of Schools (Secondary), Bankura, respondent no. 7, is directed to deduct Rs. 20,000 every month from the monthly salary of respondent no. 13 and remit the same amount to the Cooperative Bank until the retirement of respondent no. 13. After such deductions, any remaining unpaid dues shall be realised from the retiral dues of respondent no. 13. Respondent no.7 shall start such deduction from February, 2025.

This order does not preclude respondent no. 13 from making any pre-payments towards the outstanding loan amount.

Furthermore, I grant liberty to respondent no. 13 to submit a representation to the Cooperative Bank for a reduction of the annual interest rate or any other suitable relief for the repayment of

outstanding dues. If such a representation is made, the Cooperative Bank shall consider it sympathetically.

If respondent no.13 repays the entire loan amount before retirement, no further deductions shall be made from the retiral dues.

With the above directions, **WPA 16997 of 2024** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)