

**Court No. - 28**

**Case :-** WRIT - C No. - 9712 of 2019

**Petitioner :-** Girish Chandra

**Respondent :-** State Of U P And 3 Others

**Counsel for Petitioner :-** Aklank Kumar Jain

**Counsel for Respondent :-** C.S.C.,Anadi Krishna Narayana

**Hon'ble Rohit Ranjan Agarwal,J.**

1. Heard Shri Aklank Kumar Jain, learned counsel for the petitioner, Standing Counsel for respondent Nos.1 to 3 and Shri Anadi Krishna Narayana counsel for the respondent-bank.
2. With the consent of learned counsel for the parties, this writ petition is being finally disposed of at this stage without calling for a counter affidavit.
3. By this writ petition, the petitioner has prayed for quashing recovery citation dated 20.02.2019 for Rs.7,28,000/- plus other charges.
4. The petitioner had taken a loan of Rs. 2,90,000/- for agricultural loan. It is admitted to the petitioner that a default has been committed by the petitioner in making timely repayments of that loan. Consequently, recovery proceedings have been initiated against him.
5. Learned counsel for the petitioner submits that the petitioner is ready to deposit the entire recovery amount within the time fixed by this Court.
6. Learned counsel appearing for the bank fairly states that the bank is interested in realizing the entire amount alongwith interest. If the petitioner deposits the amount within the time allowed by this Court, no further action shall be taken against the petitioner by the bank.
7. On the facts and circumstances of the case and in the interest of justice, the writ petition is disposed of with the following directions:
  - (i) The petitioner shall deposit the entire amount due to the bank in seven installments beginning from 15.4.2019.
  - (ii) By way of first installment, the petitioner shall deposit Rs. 1,75,000/- on or before the date 15.4.2019.

(iii) On depositing the aforesaid amount of Rs. 1,75,000/-, the respondent bank shall provide a statement of account to the petitioner within two weeks thereafter disclosing the exact amount disbursed by the bank as loan; exact amount/s repaid by the petitioner together with dates of deposit; rate of interest and amount/s of interest charged by the bank. Such statement be expressed in such terms/language as may be easy to comprehend even by a lay-man such as the petitioner.

(iv) The bank shall in the statement so supplied, itself calculate & indicate the amount/s of each installment together with the date of payments due.

(v) Thus, the balance amount so indicated by the bank shall be deposited by the petitioner through the remaining six equal quarterly installments from 15.7.2019 onwards.

(vi) If the entire amount is deposited by the petitioner as directed above, no recovery charge shall be realized from the petitioner.

(vii) In case of default of the conditions as mentioned above, the present order shall stand automatically vacated and recovery proceedings shall revive from that stage.

**Order Date :- 15.3.2019**

A.N. Mishra