Court No. - 26

Case :- WRIT - C No. - 30301 of 2016

Petitioner :- Veeresh Chandra
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Aklank Kumar Jain
Counsel for Respondent :- C.S.C.,Rohit Yadav

Hon'ble Ashwani Kumar Mishra,J.

Heard learned counsel for the petitioner, learned Standing Counsel for the respondent nos.1, 2 and 3, and Sri Rohit Yadav, learned counsel appearing for the respondent Bank.

It is stated that petitioner has taken loan for agricultural purposes, but the same could not be repaid as per the terms of agreement. This writ petition has been filed with the averment that petitioner is ready and willing to deposit the amount, in case the petitioner is permitted to do so in instalments.

Learned counsel appearing for the respondent Bank has no objection in accepting the amount in instalments.

Having regard to the fact that petitioner has offered to pay the entire amount due against him, in my view, the ends of justice require that the petitioner be granted opportunity to deposit the entire outstanding amount due against him in the following manner:

(i) Petitioner shall deposit a sum of Rs.1,00,000/- with the respondent Bank by 20th August, 2016.

(ii) In case the amount, as indicated above, is deposited by the date fixed, the respondent Bank shall provide a fresh schedule for re-payment of balance amount in four quarterly instalments, and the same shall be deposited by the petitioner, accordingly.

(iii) No recovery charges shall be recovered from the petitioner by the respondent authorities.

(iv) Till 20th August, 2016, and thereafter during period of deposit of instalments, the recovery proceedings will be kept in abeyance. In case the petitioner defaults in depositing initial amount or thereafter instalments within the stipulated time, it will be open for the respondents to start recovery proceedings against the petitioner.

With the aforesaid observations/directions, the writ petition stands disposed of. No order as to costs.

Order Date :- 6.7.2016
Anil