

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.9361 of 2010

1. SMT. LALITA DEVI, W/O SRI HARI MOHAN SINGH, R/O RED CROSS ROAD (KACHAHARI ROAD) INFRONT OF D.R.D.A. OFFICE, MAHDUBANI.

Versus

1. PUNJAB NATIONAL BANK , A BODY CORPORATE CONSTITUTED UNDER THE BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT,1970, HAVING ITS REGISTERED HEAD OFFICE AT BHIKHAJI CAMA PLACE,NEW DELHI AND AMONGST OTHERS A BRANCH OFFICE AT MADHUBANI BRANCH, REPRESENTED BY THE MANAGER.
2. THE AUTHORISED OFFICER, PUNJAB NATIONAL BANK, CIRCLE OFFICE, G.M.ROAD,NEAR RADIO STATION,DARBHANGA.

2. 31.5.2010. Heard learned counsel for the petitioner and the Punjab National Bank (hereinafter referred to as the "Bank").

2. Petitioner is aggrieved by the order passed by the Authorised Officer of the Bank dated 19.05.2010, Annexure-8, whereunder she has been directed to deposit the remaining dues of Rs. 189131.00+Interest with effect from 31.03.2007, failing which the possession of the mortgaged asset(s) is to be taken by the Bank.

3. It is submitted on behalf of the petitioner that she had earlier approached the Debt Recovery Tribunal in S.A.No. 35 of 2008 which was disposed of under orders dated 08.09.2009 directing the petitioner to deposit Rs. 1,00,000/- by 11.08.2009 and thereafter the Bank was directed to realize the remaining dues by fixing easy instalment(s). It is submitted that in compliance of the orders of the Debt Recovery Tribunal dated 08.09.2009 the amount of Rs. 1,00,000/- was deposited by 11.08.2009 and statement to that effect has been made in the writ petition.

4. Let the remaining dues of Rs. 189131.00+Interest with effect from 31.03.2007 be deposited by the petitioner within one year from today in 12 instalment, first instalment of Rs. 20,000/- be deposited by the petitioner within 30 days from today and the order of the Authorised Officer of the Bank dated 19.05.2010, Annexure-8 is modified to such extent.

5. The writ application is, accordingly, disposed of.

(V.N.Sinha,J.)

P.K.P.