

IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL

Writ Petition No. 2520 (MS) of 2011

Bijendra

...Petitioner

Versus

State of Uttarakhand and others

...Respondents

Mr. Ajay Veer Pundir, Advocate present for the petitioner.

Mr. K.C. Tiwari, Brief Holder present for the State of Uttarakhand.

Mr. D.S. Patni, Advocate present for respondent no. 4.

Hon'ble Sudhanshu Dhulia, J. (Oral)

1. Heard Mr. Ajay Veer Pundir, Advocate for the petitioner, Mr. K.C. Tiwari, Brief Holder for the State of Uttarakhand and Mr. D.S. Patni, Advocate for respondent no. 4.

2. The petitioner has admittedly taken a loan from State Bank of India, A.D.B., Roorkee, District Haridwar (hereinafter referred to as "the Bank"). At present the liability of the petitioner is to the tune of ₹ 8,49,830/- (Eight Lac Forty Nine Thousand and Eight Hundred Thirty).

3. Since the Bank requested the Revenue Authorities, the authorities concerned proceeded under the U.P. Public Moneys (Recovery of Dues) Act, 1972 and the Tehsildar, Tehsil Roorkee, district Haridwar (respondent no. 3) issued a Recovery Citation dated 19.8.2011 to the petitioner.

4. After hearing learned counsel for the petitioner and the Bank, the parties agree that the matter be disposed of in case the petitioner deposits the entire amount within a reasonable time.

5. As such, the writ petition is disposed of with a direction to the petitioner to pay an amount of

₹ 3,00,000/- (₹ Three Lac only) on or before 30.12.2011. In case, the said amount is deposited by the petitioner with the bank on or before 30.12.2011, for the remaining loan amount, the Bank shall fix three equal installment of three months' each, which shall be paid by the petitioner regularly. The first installment shall be paid by the petitioner on or before 30.3.2012, second installment on or before 30.6.2012 and the last installment shall be paid by the petitioner on or before 30.9.2012 along with the interest and recovery charges. In case of any default of payment of installments, the Bank will be free to initiate recovery proceeding.

6. With the aforesaid direction, the writ petition is disposed of.

7. No order as to costs.

(Sudhanshu Dhulia, J.)

Dated: 30.11.2011
VKG