

**Court No. - 7**

**Case :-** WRIT - C No. - 2769 of 2015

**Petitioner :-** Virendra Singh

**Respondent :-** State Of U.P. & 2 Others

**Counsel for Petitioner :-** Sushil Singh

**Counsel for Respondent :-** C.S.C., V.K. Pandey

**Hon'ble Surya Prakash Kesarwani, J.**

Heard Sri Sushil Singh, learned counsel for the petitioner, Sri A.K. Upadhyay, learned Standing Counsel for respondent nos. 1 and 3 and Sri V.K. Pandey, learned counsel for respondent no.2 appearing for respondent bank.

The petitioner had taken loan and committed default in payment of installments. Consequently, recovery certificate dated 10.12.2014 has been issued and the recovery proceeding has been initiated to recover the balance amount of Rs. 2,61,070/- as arrears of land revenue.

There is no illegality in the recovery proceeding. Learned counsel for the petitioner states that the petitioner is ready and willing to pay the entire amount in installments.

Learned counsel Standing Counsel as well as counsel for the bank are agreed for payment of the amount in installments.

Considering the aforesaid facts, the writ petition is disposed of with the following directions:

- i) The recovery proceedings shall be kept in abeyance, provided the petitioner deposits 25% of the recovery certificate amount within one month from today ;
- ii) On deposit of the aforesaid 25% amount, the respondent bank would furnish the complete statement of accounts showing all the deposits which have been made by the petitioner till date and the balance amount payable with interest ;
- iii) Rest of the amount shall be deposited by the petitioners in four equal quarterly installments, commencing from 1st May, 2015 ;
- iv) Any amount already deposited shall be adjusted ;
- v) The petitioner shall make deposit of the last installment along with upto date interest ;
- (vi) In the event of default in complying with the aforementioned conditions it would be open to the respondents to recover the amount forthwith in accordance with law ;

(vii) As merely the recovery certificate has been issued and, therefore in case, the petitioner makes deposit as per the above schedule, no recovery charges shall be realised from him.

With the aforesaid directions, the writ petition is disposed of.

**Order Date :- 22.1.2015**

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