

**Court No. - 36**

**Case :-** WRIT - C No. - 20886 of 2019

**Petitioner :-** Naresh Pal Singh

**Respondent :-** Uttar Pradesh Sahkari Gram Vikas Bank Limited And Another

**Counsel for Petitioner :-** Vikas Srivastava, Dan Bahadur

**Counsel for Respondent :-** Narendra Kumar Giri

**Hon'ble Mrs. Sunita Agarwal, J.**

The present petition has been filed challenging the auction notice dated 21.6.2019 whereby the agricultural land of the petitioner is proposed to put to auction fixed on 9.7.2019.

The petitioner is an agriculturist and seeks to submit that he is ready and willing to repay the outstanding dues within the shortest possible time.

The contention of the learned counsel for the petitioner is that the petitioner is owner of less than two acres of land and it is not possible for him to repay the entire outstanding loan at one go. He seeks liberty to repay the entire money in easy installments.

To this submission, Sri S.Giri holding brief of Sri N.K.Giri, learned counsel for the respondent-bank could not raise any plausible objection.

In view thereof, without expressing any opinion as to the merits of the claim of the petitioner, the present petition is being disposed of with the observations as under :-

(1) The petitioner shall deposit an amount of Rs. 50,000/- with the respondent-bank on or before 8th July, 2019.

(2) On making the said deposit, the respondent bank shall not proceed with the auction proceeding on 9.7.2019.

(3) On the said deposit made by the petitioner, the respondent-bank shall provide complete statement of account showing the deposits made by the petitioner and the balance amount payable.

(4) Rest of the outstanding dues with upto-date interest shall be paid by the petitioner in four quarterly installments.

(5) Any amount already deposited shall be given adjustment.

(6) The petitioner shall make deposit of the last installment along with upto date interest.

(7) In case of any default on the part of the petitioner, the protection granted herein above shall stand automatically vacated and the respondent bank shall be at liberty to recover the entire money by taking appropriate action in accordance with law.

**Order Date :- 28.6.2019**

Pratima