

Court No. - 6

Case :- WRIT - C No. - 3223 of 2020

Petitioner :- Satnaam Singh

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Manoj Kumar Gautam

Counsel for Respondent :- C.S.C.,Brahmanand Singh

Hon'ble Vivek Varma,J.

Heard learned counsel for the petitioner and Sri B.N.Singh, learned counsel for the respondent Bank.

With the consent of learned counsel for the parties, this writ petition is being finally disposed of at this stage without calling for a counter affidavit.

By this writ petition, the petitioner has prayed for quashing impugned recovery citation dated 19.12.2019 for Rs. 6,37,243/- plus other charges.

The petitioner had taken a loan of Rs. 5,00,000/- for agricultural purpose in the year 2015. It is admitted to the petitioner that a default has been committed by him in making timely repayments of that loan. Consequently, recovery proceedings have been initiated against him.

It is submitted that the petitioner is ready to deposit the entire recovery amount within the time fixed by this Court.

Learned counsel appearing for the bank fairly states that the bank is interested in realizing the entire amount alongwith interest. If the petitioner deposits the amount within the time allowed by this Court, no further action shall be taken against him by the Bank.

On the facts and circumstances of the case and in the interest of justice, the writ petition is disposed of with the following directions:

(i) The petitioner shall deposit the entire amount due to the bank in five installments.

(ii) By way of first installment the petitioner shall deposit Rs. 50,000/- on or before 05.03.2020.

(iii) On depositing the aforesaid amount of Rs. 50,000/-, the respondent bank shall provide a statement of account to the

petitioner within two weeks thereafter disclosing the exact amount disbursed by the bank as loan; exact amount/s repaid by him together with dates of deposit; rate of interest and amount/s of interest charged by the bank. Such statement be expressed in such terms/language as may be easy to comprehend even by a lay-man such as the petitioner.

(iv) The bank shall in the statement so supplied, itself calculate & indicate the amount/s of each installment together with the date of payments due.

(v) Thus, the balance amount so indicated by the bank shall be deposited by the petitioner through the remaining four equal quarterly installments.

(vi) If the entire amount is deposited by the petitioner as directed above, no recovery charge shall be realized from him as admittedly, he is a farmer in default.

(vii) In case of default of the conditions as mentioned above, the present order shall stand automatically vacated and recovery proceedings shall revive from that stage.

The writ petition is **disposed off** in the above terms.

Order Date :- 31.1.2020

Lbm/-