

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

ON THE 29TH DAY OF OCTOBER, 2021

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

Writ Petition (M/S) No. 2282 of 2021

BETWEEN:

Sumit Rawat.Petitioner

(By Mr. Dushyant Mainali, Advocate)

AND:

Kurmanchal Bank & others.Respondents

(By Mr. Siddhartha Sah, Advocate for respondent-Bank
and Mr. G.S. Negi, Additional C.S.C. for the State of
Uttarakhand)

JUDGMENT

Petitioner took a Cash Credit Limit from Kurmanchal Bank, Branch Mandi Gate, Bareilly Road, Haldwani in the year 2014. Since he has defaulted in re-payment of the loan, therefore, the respondent-bank has taken coercive measures for recovery of outstanding amount from the petitioner. Thus, feeling aggrieved, petitioner has approached this Court.

2. Learned counsel for the petitioner submits that, due to personal problems, petitioner could not repay the loan in time however, he is ready and willing to repay the loan; but, he needs some reasonable time in order to arrange necessary funds. He, therefore, prays that petitioner be permitted to approach the Competent Authority in the Bank with a

proposal and the Competent Authority be directed to consider the same.

3. Learned counsel appearing for the respondent-bank submits that if petitioner deposits a sum of ₹10,00,000/- with his offer within ten days from today, then the Competent Authority in the bank shall consider petitioner's offer and take appropriate decision within two weeks thereafter.

4. In such view of the matter, the writ petition is disposed of with liberty to petitioner to make representation to Competent Authority in the bank within ten days from today. He shall also deposit a sum of ₹10,00,000/- with his offer. If he makes such representation alongwith the aforesaid amount within the stipulated period, the Competent Authority shall look into the offer made by the petitioner and take appropriate decision, in accordance with law, within two weeks thereafter.

5. For a period of four weeks, no coercive action shall be taken against the petitioner.

6. Let a certified copy of this order be issued today itself.

(MANOJ KUMAR TIWARI, J.)