

GAHC010030082022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1120/2022

RIJU PRASAD SARMA
S/O REBATI PRASAD SARMA, NEAR TEEN NATH MANDIR, KAMAKHYA
MANDIR ROAD, GUWAHATI-7810011

VERSUS

THE PUNJAB NATIONAL BANK AND ANR
(ERSTWHILE UNITED BANK OF INDIA) KAMAKHY BRANCH, REP. BY THE
BRANCH MANAGER SITUATED AT MALIGAON, GUWAHATI-781011,
ASSAM

2:THE AUTHORIZED OFFICER
THE PUNJAB NATIONAL BANK (ERSTWHILE UNITED BANK OF INDIA)
CIRCLE SASTRA
GUWAHATI(D
NO. 8231) NILGIRI MANSION
1ST FLOOR
BHANGAGHAR
G.S. ROAD
GUWAHATI-78100

Advocate for the Petitioner : MR. M K BORO

Advocate for the Respondent : SC, PNB

BEFORE
HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

ORDER

28-02-2022

Heard Mr. M. K. Boro, learned counsel for the petitioner and Mr. A. Dhanuka, learned counsel appearing on behalf of Mr. A. Ganguly, learned Standing counsel, PNB for the respondent No.1.

By communication dated 08.02.2022, the petitioner submitted a proposal of Rs.7,00,000/- for one time settlement with regard to the Account of M/s Jimani Chemicals Industries which has been rejected by the respondent Bank by communication dated 11.02.2022 intimating the petitioner to submit a fresh application with enhanced amount for necessary consideration of the respondent Bank pertaining to petitioner's one time settlement proposal and to deposit the upfront amount with his application intimating him that failure on his part to proceed with the same, the respondent Bank shall continue with the actions under the SARFAESI Act, 2002.

In view of the above, this writ petition being infructuous stands dismissed.

However, it is made clear that the petitioner may approach the respondent Bank along with a fresh application with enhanced amount for one time settlement for necessary consideration by the Bank.

Copy of the instruction of the PNB dated 11.02.2022 placed by Mr. A. Dhanuka, learned counsel appearing on behalf of Mr. A. Ganguly, learned Standing counsel, PNB before the Court today be kept as part of the record.

JUDGE

Comparing Assistant