

(2018) 11 UK CK 0240

Uttarakhand High Court

Case No: Writ Petition (M/S) No. 3503 Of 2018

Pratap Singh

APPELLANT

Vs

District Magistrate,
Bageshwar & Others

RESPONDENT

Date of Decision: Nov. 28, 2018

Hon'ble Judges: Sudhanshu Dhulia, J

Bench: Single Bench

Advocate: Ganesh Kandpal, Narain Dutt, Ajay Singh Bisht

Final Decision: Disposed Off

Judgement

Sudhanshu Dhulia, J.

1. The petitioner had admittedly taken a loan from the respondent no. 3, which he could not repay. Subsequently, a recovery citation dated 06.11.2018

has been issued against the petitioner, which he has challenged before this Court by means of the present writ petition.

2. This Court orally directed the petitioner to deposit an amount of Rs.50,000/- (Rupees Fifty Thousand Only) with the respondent-bank. Now this

Court has been informed by the learned counsel for the petitioner that the petitioner has deposited the aforesaid amount, a fact which is admitted by

the learned counsel for the respondent-bank.

3. Learned counsel for the petitioner has given a statement that if the petitioner is given some reasonable time to repay the loan amount, he is willing to

repay the entire outstanding loan amount. Learned counsel for the respondent-bank submits that the bank is willing to take the amount in installments.

4. With the consent of all the parties, the matter is disposed of with the following directions:-

In case the petitioner deposits an amount of Rs.60,000/- (Rupees Sixty Thousand Only) with the respondent-bank within a period of two months i.e. on

or before 28.01.2019, the respondent-bank would then recover the remaining amount from the petitioner in equal monthly installments spreading over a

period of one year. It is made clear that recovery shall not include the recovery charges.

5. It is directed that the last installment shall also carry cumulative interest. It is further made clear that in default of payment of any single installment,

the respondent-bank would be at liberty to initiate fresh process for recovery against the petitioner.