
(2011) 12 UK CK 0040

In the Uttarakhand High Court

Case No : Writ Petition No. 2670 (MS) of 2011

Balvinder Singh @ Baljinder Singh

APPELLANT

Vs

The State of Uttarakhand and others

RESPONDENT

Date of Decision : 22-12-2011

Acts Referred:

Citation : (2011) 12 UK CK 0040

Hon'ble Judges : Sudhanshu Dhulia, J

Bench : Single Bench

Judgement

Hon'ble Sudhanshu Dhulia, J.—Heard Mr. S.C. Bhatt, Advocate for the petitioner, Mr. Subhash Upadhyay, Brief Holder for the State of Uttarakhand and Mr. Deepak Bisht, Advocate for respondent no. 3.

2. The petitioner has admittedly taken a loan from Branch Manager, Uttarakhand State Co-operative Bank Ltd., Khatima, District Udham Singh Nagar (hereinafter referred to as "the Bank"). At present the liability of the petitioner is to the tune of Rs. 2,22,510/- (Rs. Two Lac Twenty Two Thousand Five Hundred Ten only).

3. Since the Bank requested the Revenue Authorities, the authorities concerned proceeded under the U.P. Public Moneys (Recovery of Dues) Act, 1972 and the Tehsildar, Tehsil Khatima, district Udham Singh Nagar (respondent no. 3) issued a Recovery Citation dated 3.12.2011 to the petitioner.

4. Counsel for the respondent-bank is also present in the Court and states that it is agreeable to him, if the petitioner pays the entire loan by way of installments. In view of this, the following orders are being passed with the consent of both the parties.

In case the petitioner deposits a sum of Rs. 50,000/- (Rs. Fifty Thousand Only) on or before 22.1.2012, then the remaining amount of loan shall be paid by the petitioner by way of three three-monthly installments along with interest i.e. the first installment shall be paid by the petitioner on or before 22.4.2012, second

installment shall be paid on or before 22.7.2012 and the last installment shall be paid by the petitioner which shall include interest accrues thereon on or before 22.10.2012. In case, the petitioner commits even one single default in payment of installments, the respondents shall be at liberty to initiate recovery proceeding afresh.

5. With the aforesaid direction, the writ petition is disposed of.

6. No order as to costs.