

(2021) 12 UK CK 0204

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2719 Of 2021

Imran Khan

APPELLANT

Vs

Punjab And Sind Bank & Another

RESPONDENT

Date of Decision : 16-12-2021

Acts Referred:

Citation : (2021) 12 UK CK 0204

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Deep Prakash Bhatt

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. According to the petitioner, in the year 2014, he took a loan of Rs. 15,00,000/- from Punjab & Sind Bank, Branch Khatima, District Udham Singh Nagar.
2. Since petitioner has defaulted in repayment of the loan, therefore, bank has initiated proceedings for recovery of the amount. Thus, feeling aggrieved, petitioner has approached this Court seeking direction to respondent-bank to accept the remaining amount, in six quarterly instalments.
3. Learned counsel appearing for the petitioner submits that due to Pandemic caused by COVID-19 and subsequent lockdown imposed by the Government, petitioner's business was badly hit, as a result, some default was committed in timely repayment of the loan. He assures the Court that if given opportunity to repay the loan in instalment, petitioner would liquidate the money as early as possible.
4. The relief as sought by the petitioner cannot be granted by this Court, however, this Court thinks that ends of justice would be met if petitioner is permitted to approach the Competent Authority in the bank, by making a

representation, who may consider petitioner's request, as made in the representation.

5. Accordingly, the writ petition is disposed of with liberty to petitioner to make representation to the Competent Authority in the bank. If petitioner makes such representation within two weeks from today and also deposits a sum of Rs. 2,00,000/- with his representation, then the Competent Authority shall consider petitioner's request and pass appropriate order, in accordance with law, within three weeks thereafter.

6. For a period of five weeks or till decision on petitioner's representation, whichever is earlier, no coercive action shall be taken against the petitioner.