

(2012) 03 RAJ CK 0078
In the Rajasthan High Court
Case No : Civil Writ Petition No. 13320 of 2011

Jugal Singh

APPELLANT

Vs

The Bank of Baroda and Another

RESPONDENT

Date of Decision : 13-03-2012

Acts Referred:

Citation : (2012) 03 RAJ CK 0078

Hon'ble Judges : Alok Sharma, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Alok Sharma, J.—This petition has been filed against the order dated 26-5-2011 passed by the Permanent Lok Adalat (District & Sessions Judge) Jhunjhunu. Heard learned counsel for the petitioner and perused the material available on record of writ petition including the impugned order dated 26-5-2011.

2. The facts of the case are that the petitioner obtained a loan of Rs.34,000/- sometime in the month of February, 1994 from the Bank of Baroda, Branch Baloda, Tehsil Chirawa, District Jhunjhunu for buying sprinkler system. Owing to the fact that the petitioner defaulted in his liability to repay the loan amount by way of pre-determined installments, the account of the petitioner with the respondent Bank was rendered Non Performing Account (NPA). Subsequent to commencement of recovery proceedings against the petitioner by the respondent Bank, the petitioner appears to have deposited Rs.50,000/- with the respondent Bank, but not the remainder outstanding amount. Due to failure of petitioner to repay the entire outstanding loan amount along with interest, the respondent Bank proceeded against the petitioner for recovery of remainder amount under the provisions of the Rajasthan Agricultural Credit Operations (Removal of Difficulties) Act, 1974 (herein after `the RODA").

3. The Permanent Lok Adalat in these circumstances found that when the petitioner had defaulted in his obligation to repay the loan amount availed in

February, 1994 along with interest, held that the respondent Bank was not in any manner in default in refusing to issue a No Dues Certificate to petitioner as claimed by him. Having heard learned counsel for the petitioner perused the impugned order dated 26-5-2011, I find no error in the impugned order passed by the Permanent Lok Adalat. The writ petition is without any merit and the same is dismissed.