

(2009) 05 AHC CK 0757
In the Allahabad High Court

Lautam Ram

APPELLANT

Vs

State of U.P.and Others

RESPONDENT

Date of Decision : 06-05-2009

Acts Referred:

Citation : (2009) 05 AHC CK 0757

Hon'ble Judges : Arun Tandon, J

Final Decision : Disposed Of

Judgement

Arun Tandon, J.

After the matter was argued at some length, counsel for the petitioner submits that without prejudice to the proceedings which have been initiated on the complaint made by the writ petitioner against the bank and other persons, at present he is ready and willing to deposit the entire outstanding as per the recovery certificate dated 20.12.2008 provided he is permitted some reasonable time for the purpose.

Counsel for the respondent Bank, Shri H.C.Singh has no objection to the deposit being made as per installments fixed by this Court.

In view of the aforesaid, it is provided as follows :

(a) The petitioner shall deposit one fourth of the total amount demanded on or before 06th August, 2009.

(b) Within one week of the said deposit of money, petitioner shall make a representation before the Bank furnishing the statement of account including the money due up to date.

(c) The Branch Manager shall furnish a complete statement of account within two weeks, thereafter.

(d) Petitioner shall deposit the balance outstanding amount shown in the statement of account in three equal installments of three months each,

commencing from 6th November, 2009.

(e) Recovery proceedings against the petitioner shall remain in abeyance up to 6thth August, 2009 at the first instance and in case payments are made, as indicated above, no coercive action shall be taken against the petitioner in pursuance to the said recovery certificate.

In case of default in compliance of any of the conditions mentioned above, the petitioner shall not be entitled to the benefits of this order and it shall be open to the respondent bank to recover the balance amount in accordance with law. If the deposits are made in terms of this order by the petitioner, he shall not be liable to pay any recovery charges.

The petitioner is also granted liberty to make a representation seeking benefit under the Agricultural Debt Waiver & Debt Relief Scheme, 2008, after depositing the first instalment. The application shall be considered by the Branch Manager.

With the aforesaid observations, the writ petition is disposed of.