
(2021) 07 UK CK 0020

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 410, 448 Of 2018

Mussarat Nabi Khan

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 02-07-2021

Acts Referred:

Citation : (2021) 07 UK CK 0020

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : M.K. Ray, T.S. Phartiyal, Vikas Pande

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Since common questions of fact and law are involved in these writ petitions, therefore these petitions are clubbed together and are being heard &

decided together. However, for the sake of convenience, facts of WPMS No. 410 of 2018 are being considered.

2. By means of Writ Petition (M/S) No. 410 of 2018, petitioner has sought the following reliefs:

â??(a) Issue a writ order or direction in the nature of certiorari to quash the impugned recovery citation dated 28.04.2017 issued by the respondent

no. 2, whereby the petitioner has been directed to pay a sum of Rs. 12,30,610.75/- only (Rs. Twelve Lac, Thirty Thousand, Six Hundred Ten and Seventy Five Paise) alongwith the interest @ of 13.20 per annum.

(b) Issue a writ, order or direction in the nature of mandamus directing the respondents not to take any coercive measure against the petitioner with

respect to the aforesaid recovery citation and alternatively to accept the

aforesaid loan amount in equal and easy installments as will be fixed by this Honâ??ble court in the facts and circumstances of the present case.â??

2. Learned counsel for the petitioner submits that petitioner has entered into One Time Settlement with the respondent-Bank and a sum of Rs.

9,00,000/- has been paid to the respondent-Bank in terms of One Time Settlement and the remaining amount is to be deposited till March, 2022.

3. Learned counsel for the respondent-Bank has also endorsed the statement made by learned counsel for the petitioner.

4. In view of the subsequent development, the reliefs, as claimed in the writ petition, do not survive.

5. Accordingly, the writ petitions fail and are dismissed.

6. There will be no order as to costs.