

(2011) 12 SHI CK 0344
In the High Court Of Himachal Pradesh
Case No : CWP No. 10741 of 2011-E

Praveen Kumar

APPELLANT

Vs

UCO Bank

RESPONDENT

Date of Decision : 07-12-2011

Acts Referred:

Citation : (2011) 12 SHI CK 0344

Hon'ble Judges : Kurian Joseph, C.J;Rajiv Sharma, J

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—Petitioner is aggrieved by the recovery steps initiated against him by the respondents. It is submitted that if given some time, the petitioner will be in a position to clear the outstanding arrears of instalments. It is further submitted that the original loanee was his father and he was not aware of the loan availed by his father.

2. In case the petitioner is prepared to pay the dues, there is no reason why the Bank should not consider the request made by the petitioner. In view of the circumstances referred to above, we are of the view that an opportunity should be given to the petitioner to show his bonafides before proceeding further with the matter. Therefore, the writ petition is disposed of as follows.

3. In the event of the petitioner filing a representation undertaking therein that the dues would be cleared within a period of six months alongwith a deposit of rupee one lakh, within a month from today, the request of the petitioner shall be considered and only thereafter any coercive steps shall be taken for recovery.

4. The writ petition is disposed of, so also the pending application(s), if any.