

(2021) 09 UK CK 0272

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1976 Of 2021

Ruppa & Another

APPELLANT

Vs

District Magistrate & Others

RESPONDENT

Date of Decision : 22-09-2021

Acts Referred:

Citation : (2021) 09 UK CK 0272

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. By means of this writ petition, petitioners have challenged the recovery citation dated 05.08.2019 issued by Tehsildar Laksar, District Haridwar.
2. Learned counsel for the petitioners submits that a loan of ` 4,50,000/- was taken by the petitioners from Punjab National Bank, Branch Niranjapur, Pargana Jwalapur, District Haridwar in the year 2009. He further submits that petitioners have deposited a substantial amount towards repayment of the loan, however, Tehsildar has now issued a recovery citation for recovery of Rs.2,87,949/-+ other charges against the petitioners.
3. Learned counsel for the petitioners submits that petitioners are ready and willing to re-pay the outstanding amount however, they need some reasonable time, owing to their old age and other difficulties, which they are presently facing.
4. Learned counsel for respondent-Bank submits that he has no objection, if some reasonable time is given to the petitioners for repaying the loan.
5. Having regard to the willingness shown by the petitioners to re-pay the loan and also in view of the concession given by learned counsel for respondent-Bank, the writ petition is disposed of with the following directions:

- (i) Petitioners shall deposit a sum of Rs. 25,000/- with the concerned branch of the bank within four weeks from today.
- (ii) The outstanding amount shall be deposited by the petitioners in five quarterly installments to be fixed by respondent-Bank. Last installment shall carry the accumulated interest.
- (iii) In the event, petitioners directly deposit the entire outstanding amount with the respondent-Bank, then they shall not be liable to pay recovery charges.
- (iv) In case of any default, in abiding any of the aforesaid conditions, petitioners shall not be entitled to protection of this order and respondent-Bank shall be at liberty to proceed against them, in accordance with law.