
(2022) 06 OHC CK 0009
In the Orissa High Court
Case No : Writ Petition (C) No. 13680 Of 2022

Sanjay Kumar Behuray

APPELLANT

Vs

Urban Co op.Bank Ltd., Rourkela And Another

RESPONDENT

Date of Decision : 02-06-2022

Acts Referred:

Citation : (2022) 06 OHC CK 0009

Hon'ble Judges : S.K. Sahoo, J;Biraja Prasanna Satapathy, J

Bench : Division Bench

Advocate : L.Mishra, B.R. Behera

Final Decision : Disposed Of

Judgement

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard Mr. L. Mishra, learned counsel for the petitioner and Mr. B.R. Behera, learned counsel for the opposite party-Bank.

The petitioner Sanjay Kumar Behuray has filed this writ petition seeking for a direction to the opposite party-Bank to settle the loan dues by sending the loan statement to an independent Chartered Accountant for correct assessment.

Mr. B.R. Behera learned counsel appearing for the opposite party-Bank submitted that the outstanding dues against the petitioner as on 21.03.2022 is to the tune of Rs.11,68,871/-(rupees eleven lakhs sixty eight thousand eight hundred seventy one), which is evident from the letter of the Bank dated. 21.03.2022 under Annexure-7.

Learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit 25% of the outstanding dues and make an application for One Time Settlement/settlement of the loan dues and direction may be given to the opposite party-Bank to consider the same giving opportunity of hearing to the petitioner.

Considering the submissions made by the learned counsel for the respective parties, without entering into the merits of the case, this writ petition is disposed of with a direction that if the petitioner deposits 25% of the outstanding dues and files an application for One Time Settlement/ settlement of the loan dues within a period of two weeks from today before the opposite party no.1, the same shall be considered in accordance with law by giving opportunity of hearing to the petitioner within a further period of two weeks and the decision taken thereon shall be communicated to him.. It is made clear that in the event the petitioner fails to deposit the amount as directed within the time stipulated, the opposite party-Bank is at liberty to take steps against the petitioner in accordance with law. Till consideration of such application for One Time Settlement/ settlement of the loan dues, no coercive action shall be taken against the petitioner.

Issue urgent certified copy as per Rules.

.....