

(1993) 08 NCDRC CK 0036

In the National Consumer Disputes Redressal Commission

SUBRATA BANERJEE

APPELLANT

Vs

STATE CO-OPERATIVE BANK

RESPONDENT

Date of Decision : 05-08-1993

Acts Referred:

Citation : 1994 1 CPJ 112

Hon'ble Judges : Jyotirmoyee Nag , Sunil Kanti Kar , S.Dutta J.

Final Decision : Complaint allowed

Judgement

1. THE petitioners 38 in numbers filed the instant application of complaint, praying for restrained order upon the respondents who are the Chairman, State Co-operative Bank W.B. Calcutta, the Chairman, Central Co-operative Bank, Burdwan, the Chief Executive Officer Burdwan, District Magistrate, Burdwan, the Principal Agricultural Officer, Burdwan and State Bank of India, Memari Br. Burdwan from collecting the loan amounts and interest accrued thereon of the petitioners for compensation of Rs.2 lakhs on account of unnecessary harassment for declaration that the petitioners are exempted from payment of Principal loan amounts and interest accrued thereon and for other reliefs.

2. ACCORDING to W.B. Agricultural and Rural Debt Relief Scheme 1990 the debts of an agriculturist not exceeding Rs. 10,000/- taking into account both Principal and interest as on 2.10.89 for agriculture purpose are to be exempted and / or relieved, the said Scheme also includes the gold and jewel loans taken for agriculture purpose. In the instant application there is no such materials on records to show the actual amounts of debts including interest standing in the names of the respective petitioners as on 2.10.89. The respondents except respondent No. 5 appeared in the Case to State their version and the respondent No. 5 is not aware of the actual dues of the respective debtors who are petitioners in this case.

However, we dispose of this complaint petition by directing the concerned respondents to relieve the debts of those petitioners whose respective debts including both principal and interest do not exceed Rs. 10,000/- as on 2.10.89 as

per guidelines laid down in the W.B. Agricultural Rural Debt Relief Scheme 1990. This order would also cover those applicants who have taken gold and jewel loans for agricultural purpose and the concerned respondents i.e. the concerned banks, shall return the gold and jewels to the petitioners who kept on lien the said gold and jewels for taking loan for agricultural, purpose. Subject to loan amount including interest does not Rs. 10,000/- as on 2.10.89.

3. THERE will be no order as to the claim of compensation and cost as sought for by the petitioners as the said claim of compensation of Rs. 2 lakhs is made without justification. Complaint allowed. _____