

# **M/S Neel Kanth Ceramics vs Union Bank Of India Sam Branch Lucknow ... on 1 May, 2025**

**Author: Ashwani Kumar Mishra**

**Bench: Ashwani Kumar Mishra**

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:68798-DB

Court No. - 29

Case :- WRIT - C No. - 11486 of 2025

Petitioner :- M/S Neel Kanth Ceramics

Respondent :- Union Bank Of India Sam Branch Lucknow And Another

Counsel for Petitioner :- Sanjay Srivastava

Counsel for Respondent :- Shashi Dhar Sahai,Ashish Agrawal

Hon'ble Ashwani Kumar Mishra,J.

Hon'ble Praveen Kumar Giri,J.

1. Heard learned counsel for the petitioner and Sri Shashi Dhar Sahai, learned counsel for respondent Bank.

2. Admittedly, petitioner has defaulted in repayment of loan taken from the respondent Bank. A sale notice dated 18.3.2025 has been issued by the Bank for recovery of Rs.33,52,418.19/- plus interest as on 25.04.2025.

3. At this stage, learned counsel for the petitioner states that petitioner is willing to pay the loan amount in easy installments.

4. Learned counsel for the respondent Bank on behalf of the bank authorities states that if the petitioner deposits 8 lakh rupees out of the defaulted amount, his request for payment of remaining amount in installments would be considered.

5. Having regard to the fact that petitioner has offered to pay the entire amount due against him and the statement made on behalf of the Bank, we are of the view that ends of justice would be served if petitioner is granted an opportunity to deposit the entire outstanding amount. Accordingly, the writ petition is disposed of with following conditions:-

(i) Petitioner shall deposit 8 lakh rupees out of the outstanding amount due till 31.5.2025.

(ii) In the event petitioner deposits the amount as indicated above, the respondent Bank shall provide a fresh statement of loan account with interest upto date to the petitioner. Respondent Bank shall thereafter provide a schedule for deposit of the remaining amount in three equal bi-monthly installments.

(iii) In case petitioner complies with the above conditions, no recovery charges shall be recovered from the petitioner by the respondent Bank.

(iv) Till the period prescribed for depositing the amount in terms of this order, the recovery proceedings will be kept in abeyance. In case the petitioner defaults in depositing initial amount or thereafter installments within the stipulated period, it will be open for the respondent Bank to proceed with the recovery proceedings against the petitioner, as per law.

Order Date :- 1.5.2025 K.Tiwari