

Ambekeshwar Pathak Vs. the Oriental Bank of Commerce Rewa

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Court : Madhya Pradesh

Decided On : Jan-30-2013

Appellant : Ambekeshwar Pathak

Respondent : The Oriental Bank of Commerce Rewa

Advocate for Pet/Ap. : Shri. S.P.Mishra

Judgement :

Ambekeshwar Pathak versus The Oriental Bank of Commerce, Rewa & Anr.

Writ Petition No.9581

30. 1.2013: Shri S.P.Mishra, learned counsel for the petitioner.

Challenging a revenue recovery certificate issued by the Tahsildar seeking recovery of `4,36,984/- from the petitioner, this writ petition has been filed.

Petitioner took an education loan of `3,55,544/- from respondent No.1 Bank on 20.8.2001, when the loan was not repaid and when the amount stood outstanding, proceedings were initiated by the bank before the Tehsildar concerned under the M.P.Lok Dhan (Shodhya Rashiyon Ki Vasuli) Adhiniyam, 1987, wherein on 4.5.09, petitioner appeared and kept on raising certain objections and took time, finally when the revenue recovery certificate is issued petitioner has challenged the same by contending that his objections have not been properly considered and the recovery as ordered.

It is an admitted position that the petitioner has taken loan and amount has not been repaid.

In the writ petition except for contending that the petitioner is an unemployed person and is unable to re-pay the loan nothing is brought to the notice of this Court on the basis of which the impugned action can be termed as illegal or unsustainable.

Except for expressing his personal difficulties in repaying the loan as no statutory provision rules or regulations is shown to be violated in the matter, I see no reason to interfere into the matter.

If the 2 petitioner has any personal or final hardship in the matter he should represent respondent No.1 and based on the guidelines issued by the Reserve Bank of India if any facilitate on repayment of loan, payment in installment or finalization may be granted, then the respondent No.1 may do so.

With the aforesaid observations, finding no case for interference this petition is dismissed.

(Rajendra Menon) Judge ss/-

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