



|               |                  |        |      |
|---------------|------------------|--------|------|
| Exhibit       |                  |        |      |
| CNR No.       | GANGo80018352022 |        |      |
| Presented on  | 26.12.2022       |        |      |
| Registered on | 26.12.2022       |        |      |
| Decided on    | 28.07.2023       |        |      |
| Duration      | Years            | Months | Days |
|               | --               | 07     | 03   |

**IN THE COURT OF THE CIVIL JUDGE, JUNIOR  
DIVISION, AT PONDA, NORTH GOA.**

*(Before: Miss. Queency D'Silva, Civil Judge, Junior  
Division, 'B' Court, Ponda, North Goa.)*

**Summary Suit No. 23/2022/B**

UCO Bank,  
A body Corporate, Constituted  
Under the Banking Companies  
(Acquisition & Transfer of Undertaking)  
Act, 1970 as amended  
By the Banking Laws (Amendment) Act,  
1985 having its Head Office at

No. 10, Biplabi Trailokya Maharaj Sarani,  
Kolkata the State of West Bengal, 700 001  
And amongst its various Branches, one at  
Ponda, Goa, 403 401, represented  
Herein by its Branch Manager  
of Upper Bazar Ponda Branch,  
Shri Saurav Kumar,  
Son of Shri Raj Kishor Prasad,  
Aged about 29 years, service,  
Presently residing at Upper Bazar,  
Ponda, Goa – 403 401.

... Plaintiff

V/s

Shri Rajesh Ramnath Karekar,  
Aged about 53 years,  
Indian National,  
Resident of C/o Achal Desai,  
H. No. 25/7, Vagishwada,  
Borim, Ponda, Goa.

... Defendant

**Appearances:-**

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Ld. Advocate C. R. Naik present for the Plaintiff.

None present for the Defendant. Defendant present in person.

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**J U D G M E N T**

*(Delivered on this 28<sup>th</sup> day of the month of July, of the  
year 2023)*

This is a suit for recovery of money filed under  
Order XXXVII Rule 1(3) of Civil Procedure Code, 1908  
*(hereinafter referred to as 'CPC, 1908').*

2. It is the case of the Plaintiff that the Plaintiff is a Banking Company incorporated under the Indian Companies Act, 2013. The Defendant is one of its customer and had applied for Term Loan and the same was sanctioned for an amount of Rs. 4,50,000/- for purchase of new commercial passenger vehicle. The loan was repayable in seven years, however the Defendant never paid any installments and the said loan account became NPA with effect from 31.03.2021. Thus, the present suit.

3. Summons was issued to the Defendant and the Defendant came to be represented by his Advocate. However, no application was filed by the Defendant to defend the suit. Hence, the suit proceeded.

4. I have perused the Plaint and documents produced by the Plaintiff. The Plaintiff has produced Application for Term Loan/Working Capital Advances dated 28.01.2019, Sanction of Credit Facilities under UCO Commercial Vehicle Scheme dated 26.02.2019, Permission for disbursement of loan of Rs. 4,50,000/- in favour of the Defendant dated 26.02.2019, Agreement relating to Term

Loan dated 20.02.2019, UCO Car/Two Wheeler Loan Agreement dated 26.02.2019, Demand Promissory Note dated 26.02.2019, Letter of waiving of presentation of demand promissory note dated 26.02.2019, CGTMES Coverage of Mr. Rajesh Ramnath Karekar-Commercial Vehicle Loan dated 28.02.2019, Certificate of registration of vehicle dated 07.03.2019, Statement of Account dated 31.05.2022, Recall notice dated 18.02.2022 and envelope containing Recall Notice dated 18.02.2022 alongwith AD card.

5. Upon perusal of documents, I am satisfied that the Defendant had obtained loan of Rs. 4,50,000/- and the Defendant had agreed to repay the same. It appears that the Defendant had not repaid the loan and has defaulted in making installments. The Plaintiff is thus entitled for the reliefs as prayed.

6. The present suit has been filed on 26.12.2022 and is being disposed today i.e. within a period of 08 months approximately. It is quite understandable that the Plaintiff has incurred expenditure for Pleader's Fee and

other miscellaneous expenditure. Under such circumstances, I find it just and proper to saddle costs on the Defendant.

7. Accordingly, I pass the following:

**ORDER**

The suit is decreed with costs, in terms of Prayers 'a' and 'b'.

Decree is drawn accordingly.

Pronounced in the Open Court.

Proceedings closed.

Place : Ponda Goa

Date : 28.07.2023

**(Queency D'Silva)**  
Civil Judge Junior Division  
'B' Court, Ponda, North Goa.