

GAHC010216182022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6963/2022

M/S DRINKO FRESH PACKAGED DRINKING WATER INDUSTRY
REPRESENTED BY ITS PROPRIETOR MRS. RUNU MONI SAIKIA, AGED
ABOUT 48 YEARS, W/O MR. PRASANNA SAIKIA, R/O VILL- JALAHGAON,
P.O.-HALOGAON, DIST- NAGAON, ASSAM, PIN-782141

VERSUS

THE ASSAM GRAMIN VIKASH BANK AND 2 ORS
(A JOINT UNDERTAKING OF GOVERNMENT OF INDIA, GOVERNMENT OF
ASSAM AND PUNJAB NATIONAL BANK), HEAD OFFICE-G.S. ROAD,
BHANGAGARH, GUWAHATI-781005, DIST- KAMRUP(M), ASSAM,
REPRESENTED BY ITS MANAGING DIRECTOR

2:THE REGIONAL MANAGER CUM AUTHORISED OFFICER
ASSAM GRAMIN VIKASH BANK
GOLAGHAT REGIONAL OFFICE
HEAD OFFICE AT KUSHAL PATH
NEW AMOLAPATTY
GOLAGHAT-785621

3:THE BRANCH MANAGER
ASSAM GRAMIN VIKASH BANK
NAGAON BRANCH
DIST- NAGAON
ASSA

Advocate for the Petitioner : MR. B PHUKAN

Advocate for the Respondent : SC, A G V B

**BEFORE
HONOURABLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA**

ORDER

Date : 04.11.2022

Heard Mr. B. Phukan, learned counsel for the petitioner and Ms. M. Dey, learned counsel for the respondents in the Assam Gramin Vikash Bank.

2. Issue notice returnable 21.11.2022.
3. Extra copies within 3(three) days.
4. The petitioner is a borrower from the respondent Bank and because of default, there was a requirement of the petitioner to pay an amount of Rs. 63,50,000/- as per a settlement arrived at between the petitioner and the Bank. Out of the Rs. 63,50,000/-, the petitioner had paid Rs. 55,00,000/- and there remains an amount of Rs. 8,50,000/-. The said amount could not be paid by the petitioner on the due date. Being aggrieved, this writ petition is instituted.
5. In the interim, it is provided that no coercive action be taken against the petitioner till the next returnable date. The petitioner may approach the respondent Bank with a proposal by providing with a schedule of payment that they intend to make and if it is accepted by the Bank, the Bank may pass a reasoned order.
6. List on 21.11.2022.

JUDGE

Comparing Assistant