

GAHC010216182022



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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, MS. M DEY

BEFORE
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

26-03-2025

- 1.** The petitioner is a borrower of the respondent Bank and for default, the petitioner was to pay an amount of Rs. 63,50,000/- as per the settlement arrived at between the petitioner and the Bank. Out of an amount of Rs. 63,50,000/-, the petitioner had in the meantime paid Rs. 55,00,000/- to the respondent Bank and an amount of Rs. 8,50,000/- was due. However, the petitioner could not pay the same within the stipulated period of time. At this stage, when coercive action was proposed, the present writ petition was filed.
- 2.** It is submitted by the learned counsel for the petitioner that the petitioner is ready with the remaining amount and is willing to pay an amount of Rs. 8,50,000/-. However, the respondent Bank has not accepted the same.
- 3.** Learned counsel for the respondent Bank shall complete her instruction whether a fresh settlement can be arrived inasmuch as the petitioner had paid 90% of the settlement amount to the respondent Bank and whether after payment of an amount of Rs. 8,50,000/-, the account of the petitioner can be closed.
- 4.** List this matter after the ensuing 'Bihu' vacation on a date to be fixed by the Registry.
- 5.** The interim order passed earlier shall continue until further order.

JUDGE

Comparing Assistant