

**IN THE COURT OF THE SENIOR CIVIL JUDGE, AIZAWL DISTRICT,
AIZAWL MIZORAM
Money Suit No.108/2011**

The Chief Manager,
State Bank of India
Mission veng Branch
Aizawl, Mizoram.

.....Plaintiff.

-Versus-

1. Nirmola Gurung
H.No.2/49-B
Kulikawn, Aizawl
2. Bijoy Gurung, Inspector CID (Crime)
DSP, CID (Crime)
Aizawl.

.....Defendant.

**BEFORE
R.VANLALENA, Senior Civil Judge-2**

For the Plaintiff : Shri MM Ali, Advocate.
For the Defendants:
Date of Judgement: 9.2.2012.

JUDGEMENT

9.2.2012

1. This is a Money Suit No.108/2011 filed by the State Bank of India, through the Chief Manager,, Mission veng Branch, Aizawl against – (1) Nirmola Gurung, H.No.2/49-B, Kulikawn, Aizawl and (2) Bijoy Gurung, DSP, CID (Crime) Aizawl for recovery of loan amount Rs.6,08,091/- (Rupees six lakhs, eight thousand, and ninety one) only with interest @ Rs.11.75% P.A w.e.f.01.08.2011 till full realization of the amounts from the defendants who are jointly and severally responsible to repay the loan.

2. The present suit originated from the fact that the defendant No.1 namely Smt.Nirmola Gurung was sanctioned a loan/advances of Rs.5,00,000/- under cash credit facilities for expanding her business of grocery shop by the plaintiff Bank with interest @ 11.75% P.A on 26.08.2008. However, the defendant failed to repay the loan as per agreed terms and conditions which ultimately compelled the plaintiff to institute the present suit.

3. During the course of proceeding, the court granted time for filing written statement to the defendant. Defendant No.1 filed her written statement on 23.01.2012 in which she made an admission of the loan debt and further mentioned that the loan was laying un-repaid due to her deteriorating economic condition. She stated that as her economic condition starts improving, she is now in a condition to repay the loan at a rate of Rs.10,000/- (Rupees ten thousand) only per month.

4. In considering the submission of the defendant no.1, this court is inclined to pass a judgment at its own motion without waiting for further determination in the suit as the defendant no.1 has admitted the facts of the suit.

Accordingly, this court pass an order for repayment of loan by the defendant No.1 as follows:

ORDER

The defendant No. 1 is hereby directed to repay her loan debt at a rate of Rs.10,000/-(Rupees ten thousand) only every month by depositing the amount so fixed into the State Bank of India, Mission Veng Branch starting from March, 2012 until full amount with the agreed interest is deposited.

In case, the defendant default deposit the fixed amount (i.e.Rs.10,000/- per month) for three consecutive months, the defendant No.2 who stood as a Guarantor shall be responsible for further repayment of loan at the same rate of monthly repayment for the plaintiff.

With this order, the present suit stands disposed of.

Give copy of this order to all concerned.

Sad/-R.VANLALENA
Senior Civil Judge – II
Aizawl District : Aizawl.

Memo No. /SCJ-I I(A)/2012: Dated Aizawl the 9th February,2012.

Copy to:

1. The District and Sessions Judge, Aizawl District, Aizawl, Mizoram for information.
2. The Chief Manager, State Bank of India, Mission veng Branch,Aizawl, Mizoram.
3. Nirmola Gurung, H.No.2/49-B, Kulikawn, Aizawl, Mizoram.
4. Bijoy Gurung, Inspector, CID (Crime), Aizawl, Mizoram.
5. Shri MM Ali, Advocate concerned.
6. Registry Section.
7. Case record.

PESHKAR

