

**IN THE COURT OF THE SENIOR CIVIL JUDGE, AIZAWL DISTRICT, AIZAWL  
MIZORAM**

**Money Suit No.122/2011**

Chief Manager,  
State Bank of India,  
Mission Veng Branch, Aizawl

.....Plaintiff.

-Versus-

1. Lalzahawmi,  
H.No.A-36  
Chaltlang, Lily Veng, Aizawl.
2. Executive Engineer,  
PHE Deptt.  
Rural Watson Division, Aizawl.

..... Defendants.

**BEFORE**

**R.VANLALENA, Senior Civil Judge-II**

For the Plaintiff : Shri M.M.Ali, Advocate.

For the Defendants:

Date of Judgement: 20.1.2012

**JUDGEMENT**

**20.1.2012**

1. Ld. Counsel Shri MM Ali and Shri H.Lalremruata present on behalf of the plaintiff State Bank of India, Mission Veng Branch, Aizawl.

2. Defendant Smt.Lalzahawmi also present in person.

3. This is a Money Suit No.122/2011 filed by the State Bank of India, Mission Veng Branch, Aizawl through its Chief Manager for recovery of an amount of Rs.2,22,471/- (Rupees two lakhs, twenty two thousand and four hundred seventy one) only with interest at a rate of Rs.12.75% per annum from 01.08.2011 till realization of the total amount from the defendant Smt.Lalzahawmi.

4. The defendant No.1, Smt.Lalzahawmi, H.No.A-36, Chaltlang Lily veng who is an employee of the PHE Department as Trained SA took a personal loan of an amount of Rs.1,50,000/- (Rupees one lakh, fifty thousand) only with interest rate of Rs.12.75% per annum from the plaintiff Bank, SBI, Mission Veng Branch on 12.12.2007 which will be repaid at equated amount of Rs.3400/- per month by deduction of it from her Bank Account maintained.

5. As per the Agreement between the plaintiff Bank and the defendant, the first equated monthly installment shall be payable from January,2008 and shall be for 60 equated monthly installment.

6. In spite of the Agreement of loan duly accepted by the defendant, not even a single payment of loan was effected and thus the plaintiff Bank instituted the present suit after three years of sanctioned of loan.

7. During the course of trial, the defendant was afforded chance for submission of written statement. She submitted her written defence on 20.1.2012. In her written statement, the defendant stated that she took a housing loan from State Bank of India, Dawrpui Branch. But due to her irregular repayment of loan, the said Bank froze her monthly salary Bank Account which resulted into

non-release of her salary to her with effect from the month of September, 2009 till date and was informed that about Rs.5000/- Become available for disbursement to her as the remaining amount from the deducted loan repayment.

8. In her written statement the defendant prayed this court to pass an order directing the two banks i.e. SBI, Dawrpui Branch and SBI, Mission Veng Branch to make internal arrangement to effect repayment of loan by sharing the amount in the Salary Account of the defendant. In this respect, the two said Banks may divide the salary amount of defendant Lalzahawmi between themselves and remit it to the loan account of Lalzahawmi for her repayment of the loan in their respective banks.

9. I have considered the submission of the defendant. I have also heard the learned counsels Shri MM Ali and Shri H.Lalremruata who both have no objection to the submission of the defendant.

10. In the results, this court has arrived at a conclusion to pass an order that the said two Banks – SBI, Dawrpui Branch and SBI, Mission veng Branch shall made appropriate internal arrangement for effecting the repayment of loan by the defendant. IN this connection, the two Banks shall effect division of the amount in equal portion from the monthly salary of the defendant and the said divided amount be remitted into the loan account of the defendant until the said loans are liquidated. After the loan become liquidated, the plaintiffs Banks shall inform the defendant the matter and shall release the salary forthwith.

With the above order, the present suit stands disposed of.

Give copy of this order to all parties.

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

Memo No...16/SCJ-II(A)/2012: Dated Aizawl the 24<sup>th</sup> January,2012.  
Copy to:

1. The District and Sessions Judge, Aizawl District for information..
2. Chief Manager, State Bank of India, Mission Veng Branch, Aizawl through counsels MM Ali & Ors.
3. Lalzahawmi, H.No.A-36, Chaltlang, Lily Veng, Aizawl.
4. Executive Engineer, PHE Deptt. Rural Watson Division, Aizawl.
5. Shri MM Ali, Advocate.
6. Registry Section.
7. Case record.

PESHKAR

