

**IN THE COURT OF SENIOR CIVIL JUDGE- 1
AIZAWL DISTRICT :: AIZAWL**

MONEYSUIT NO. 31 OF 2012

Plaintiff:

State Bank of India
Aizawl Branch- Aizawl
Represented by Assistant General Manager

By Advocates : 1. Mr. M.M. Ali
2. Mr. H. Lalremruata

Versus

Defendants:

1. Mr. Vanlalruata
S/o K.L. Rochama
Prop. M/S Finger Tips Computer
Khatla, Peters Street, Aizawl

2. Mr. Lalnuntluanga
S/o Lalhmingliana (L)
Khatla, Aizawl

By Advocate's : _____

Date of hearing : 13-07-2012

Date of Judgment & Order : 13-07-2012

BEFORE

Dr. H.T.C. LALRINCHHANA, MJS
Senior Civil Judge- 1
Aizawl District: Aizawl

JUDGMENT & ORDER

This is a suit for recovery of loan amount at Rs. 5,07,453. 00 (Rupees five lakhs, seven thousand, four hundred and fifty three) with interest rate at 11.25% per annum with effect from 01-04-2012 till realization. The plaintiff constituted under the State Bank of India Act, 1955 carrying business under the Banking Regulation Act, 1949 sanctioned secured loan amounting to Rs. 3,99,000/- to the defendant no. 1 with an interest rate at 11.25% per annum, the defendant no. 2 also stood as guarantor by executing an agreement on 5th June, 2006. Since the defendant no.1 breach the agreement for repayment of the said amount. The instant suit had arisen. The advoletum court fees at Rs. 8,400/- is also paid by the plaintiff.

The defendants neither appeared nor filed written statements without knowing reasons till today whilst the suit is filed on 17/5/2012 and a returned of service of summons is received. Inevitably, by virtue of O. VIII, R. 10 of the Code of Civil Procedure, 1908, the case is adjudicated that the defendants having liability jointly and severally are directed to repay their loan outstanding amounts @ Rs. 5,07,453. 00 (Rupees five lakhs, seven thousand, four hundred and fifty three) with interest rate at 11.25% per annum with effect from 01-04-2012 till realization to the plaintiff Bank. The defendants are further directed to pay the sum of Rs. 5000/- for costs, charges and expenses (other than the costs of the suit) properly incurred by the plaintiff in respect of the mortgage-security, together with interest thereon, and the sum of Rs. 18,400/- (Rs. 8,400/- for court fees stamp + Rs. 8,400/- for Pleader's fee) for the costs of this suit awarded to the plaintiff with 11.25% interest per annum with effect from this day till realization.

Give this copy along with decree to all concerned.

With this order, the case shall stand disposed of.

Given under my hand and seal of this court on this 13th July, 2012 Anno Domini within the premises and during the working hours of this court and is pronounced in an open court.

Dr. H.T.C. LALRINCHHANA

Senior Civil Judge- 1

Aizawl District: Aizawl

Memo No. MS/31/2012, Sr. CJ (A)/

Dated Aizawl, the 13th July, 2012

Copy to:

1. State Bank of India, Aizawl Branch- Aizawl Represented by Assistant General Manager through Mr. M.M. Ali, Advocate
2. Mr. Vanlalruata S/o K.L. Rochama Prop. M/S Finger Tips Computer, Khatla, Peters Street, Aizawl through Mr. M.M. Ali, Advocate
3. Mr. Lalnuntluanga S/o Lalhmingliana (L), Khatla, Aizawl through Mr. M.M. Ali, Advocate
4. P.A. to Hon'ble District & Sessions Judge, Aizawl Judicial District, Aizawl
5. Case record

PESKAR