

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.36740 of 2015

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Cooperation for the respondents.

2. In this Writ Petition, the petitioners have questioned the interim order dt.02-11-2015 in MA.No.31 of 2015 in O.A.No.39 of 2015 of the AP Cooperative Tribunal at Vijayawada imposing the condition of deposit of 50% of the surcharge amount fixed in proceedings Rc.No.422 of 2014 – N.C. dt.27-08-2015 passed by 2nd respondent against the petitioners as a condition for staying the said order and directing the petitioners to pay the same on or before 16-11-2015.
3. The learned counsel for the petitioners sought to contend that this is a onerous condition having regard to the several mitigating factors set out in the affidavit of petitioners including payment of portion of the amount determined in the above order by some of the petitioners.
4. Having regard to the fact that the impugned order is a discretionary order, which appears to be reasonable, in the facts and circumstances of the case, I am not inclined to interfere with the same. However, time for making the deposit as directed in the impugned order is extended for a further period of four weeks from the date of receipt of a copy of this order to the petitioners. In default of compliance with the above order, the interim stay granted by the Court below shall stand vacated.
5. The Writ Petition is disposed of accordingly. No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 12-11-2015

Note:

Issue C.C. by 16-11-2015.

B/o.

kvr