

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

**AND**

**THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**W.P.No. 2750 OF 2015**

**ORDER:** (*per Hon'ble Sri Justice Ramesh Ranganathan*)

The petitioner herein filed S.A.No. 175 of 2014 before the Debts Recovery Tribunal, Hyderabad ("Tribunal, Hyderabad" for short). The said appeal was returned for presentation before the Debts Recovery Tribunal, Visakhapatnam ("Tribunal, Visakhapatnam" for short). Aggrieved thereby, the petitioner herein filed W.P.No. 11098 of 2014 which was dismissed by a Division Bench of this Court on 24-11-2014 holding that the direction to the parties to make their application before the jurisdictional Tribunal was justified. This Court had earlier, by order in W.P.No. 11098 of 2014 dated 15-04-2014, issued rule *nisi* and had called for the records. Pursuant thereto, the Tribunal, Hyderabad, by letter dated 28-05-2014, submitted the records in S.A.No. 175 of 2014 before this Court. On the ground that the records were not sent back to the Tribunal, Hyderabad, the present Writ Petition is filed. This Court, by its order dated 11-02-2015, directed the Registry to verify whether the records in S.A.No. 175 of 2014 and I.A.No. 965 of 2014 formed part of the bundle in W.P.No. 11098 of 2014. The note placed before us today, by the Registrar (Judicial), shows that the records have, by mistake, not yet been sent back to the Tribunal, Hyderabad.

The Registry shall forthwith, and in any event on or before 20-02-2015, send the records back to the Tribunal, Hyderabad by special messenger and obtain due acknowledgement. It is open to the petitioner herein to make an application before the Tribunal, Hyderabad thereafter, for return of the documents to enable them to present the application before the Tribunal, Visakhapatnam.

The Writ Petition is, accordingly, disposed of. Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed in consequence. No

order as to costs.

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***RAMESH RANGANATHAN, J.***

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***M.SATYANARAYANA***

***MURTHY, J.***

Date: 19<sup>th</sup> February, 2015.

JSK