

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

W.A.No.763 OF 2006

PC: *(Per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)*

This writ appeal is directed against order dated 29.09.2005 passed by the learned Single Judge disposing of W.P.M.P.No.25172 of 2005 in W.P.No.19798 of 2005. The impugned order reads thus:

“Heard the learned counsel for the petitioner and the learned standing counsel, for the respondents. The relevant facts have already been stated, in brief, in the order dated 06.09.2005. It is not in dispute that the respondents have charged an interest of Rs.1,55,27,000/- (Rupees one crore fifty five lakhs and twenty seven thousand only) on a sum of hardly Rs.10 lakhs, which remained due. By no stretch of imagination, the action of the respondents can be sustained. Apart from shocking the conscience, it surpasses all limits of usurious levy of interest and deviation of the practice of lending, even by private agencies. Hence, the interim order dated 06.09.2005 is accordingly made absolute.”

We are informed that the writ petition is still pending.

Writ appeal was admitted on 10.09.2007. This Court had issued directions from time to time to deposit the outstanding loan amounts and as per the directions issued, we are informed that the respondent deposited the said amounts. In view thereof and having considered the interim order passed by this Court in the appeal, we are disposing of the writ appeal by the following order:

“The interim orders passed by this Court, pending hearing and final disposal of the writ appeal, are confirmed. We make it clear that while confirming the interim orders, we have not examined merits of the appeal. We request the learned Single Judge to dispose of the writ petition, if not disposed of already, expeditiously”.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

ACJ

DILIP B. BHOSALE,

S.V.BHATT,

J
Date: 29.12. 2015
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