

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

WRIT PETITION No. 30575 of 2015

BETWEEN

M.Manohar Reddy

... PETITIONER

AND

The State Bank of India, State Bank Building,
Visakhapatnam.

...RESPONDENT

Date of Order pronounced: 18.09.2015

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Though the petitioner's civil suit viz., O.S.No.41 of 2015 filed before the

Principal Junior Civil Judge, Visakhapatnam was stated to have been dismissed for default, the present writ petition is filed only on account of the auction notice issued by the respondent-Bank proposing to conduct auction on 23.09.2015.

2. Heard learned counsel for the petitioner and Mr.B.S.Prasad, learned standing counsel for the respondent-Bank.

3. Learned counsel for the petitioner did not press on merits of the claim, but made a request for payment of the amount due in two instalments viz., one before the date of auction and for payment of the balance amount, he requests some more time.

4. Learned standing counsel for the Bank states that the petitioner has to pay total amount of about Rs.5,00,000/-.

5. Hence, the writ petition is disposed of giving liberty to the petitioner to pay/deposit a sum of Rs.2,50,000/- (Rupees two lakhs fifty thousand only) with the respondent-Bank on or before 22.09.2015. On compliance of such deposit, the auction proposed to be conducted on 23.09.2015 shall not be held so far as petitioner's car bearing No.AP 31 CG 0005, subject to the further condition that petitioner deposits the balance outstanding loan amount within six weeks from the date of first payment, as above. In default of petitioner complying with any of the conditions, as above, respondent Bank shall be free to proceed to recover the amount in accordance with law including by conducting auction. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 18, 2015

Note:- Furnish copy by 22.09.2015.

{B/o} LMV