

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT APEAL No. 721 OF 2014

05-06-2015

Between:

Sankhya Infotech Ltd., Module No. 405, 4th floor, NSIC Park, Kushaiguda,
Hyderabad, rep., by its Managing Partner

... Petitioner

And

The Government of Andhra Pradesh, rep., by its Principal Secretary, Industrial
Department, Secretariat, Hyderabad and four others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

-

WRIT APEAL No. 721 OF 2014

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

Heard learned counsel for the parties.

The appellant, in the instant appeal, challenges the following order dated 29-04-2015 passed on WPMP No. 17135 of 2014 in Writ Petition No. 13707 of 2014:

“Subject to the writ petitioner depositing a sum of Rs.6,00,000/- (Rupees six lacs only), in one or more number of instalments, to the credit of the EP., on or before 30th May 2014, stay of all further proceedings upon such deposit being made, the 5th respondent would be at liberty to withdraw the said amount without furnishing any security.”

This Court is informed that as per the order passed in the appeal, the appellant has deposited Rs.2,93,000/- before the Court below and that respondent No.5 has already withdrawn the said amount.

Learned counsel for the appellant submits that so far as the remaining amount is concerned, the appellant is prepared to deposit the said amount, but respondent No.5 may not be allowed to withdraw the same. Learned counsel appearing for respondent No.5 submits that respondent No.5 shall withdraw the said amount on furnishing security.

Having considered the nature of order and the submissions of learned counsel for the parties, we are satisfied that this writ appeal can be conveniently disposed of by the following order:

“The appellant shall deposit the remaining amount of Rs.3,07,000/- to the credit of the EP on or before 31-07-2015. On such deposit being made, respondent No.5 is allowed to withdraw the said amount on furnishing bank guarantee of a nationalised bank. Respondent No.5 shall keep the bank guarantee alive till disposal of the writ petition and for a period of fifteen days from the date of disposal of the writ petition, if the order is adverse to the appellant”

With these observations, the writ appeal is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

05-06-2015

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