

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

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE
CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL No.1054 of 2014

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DATED: 29-01-2015

Between:

The A.P. Indian Overseas Bank Officers
Mutually Aided Cooperative Credit
Society Ltd.

.. Appellant

And

Indian Overseas Bank and others

.. Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT APPEAL No.1054 of 2014
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JUDGMENT: (per Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

The writ petition was filed challenging the inaction on the part of the respondent-bank, which was alleged to have failed to keep its commitment in terms of the letter dated 01.08.2010 issued by the petitioner-society who was alleged to have authorised the bank to recover from the defaulting officers in terms of the said letter. The learned trial Judge has rightly found, in our view, that the bank is not privy to this transaction and moreover, there is no obligation or legal right on the bank to take action against the defaulting officers for not paying the dues to the society. Therefore, the writ petition was rightly dismissed. We do not want to interfere with it in this appeal. However, liberty is reserved to the appellant to take appropriate steps in accordance with law.

The writ appeal is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

29-01-2015

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