

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NOs.17716, 19282, 19909, 29037 and 30106 of
2011_____

DATED:15-7-2015

W.P. No.17716 of 2011

Between:

Vallabhu Prakash Rao
and others

... Petitioners

And

The Bantumilli P.A.C.S.,
Rep. by its Executive Officer
Bantumilli Village (Mandal)
Krishna District
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Narasimha Rao Gudiseva

COUNSEL FOR RESPONDENT NO.1: Smt. Bobba Vijaya Lakshmi

COUNSEL FOR RESPONDENT NOs.2 and 3: None appeared

COUNSEL FOR RESPONDENT NO.4: A.G.P. for Co-operation (AP)

THE COURT MADE THE FOLLOWING:

ORDER:

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These writ petitions raise a common issue, namely, whether fish feed falls under Clause 3.3 (b) of the Debt Relief Scheme and consequently whether the petitioners are entitled to loan waiver under the said scheme.

This Court by order dt.11.6.2015, in W.P. No.19139 of 2011, has negatived the claim of the petitioners therein and held as under:

“A careful perusal of the above extracted Clause would show that the investment credit and allied activities extended for acquiring assets in connection with the activities allied to agriculture, such as, fisheries are included in the Debt

Relief Scheme. As rightly pleaded by respondent Nos.2 and 3 in the counter affidavit, buying the fish feed does not fall within the word ‘acquiring assets’. Acquisition of assets has its own connotation, namely, infrastructure required for

establishing the activity. In the counter affidavit, it is stated that digging fish ponds falls within the said phrase. I am, therefore, of the opinion that the purpose of loans obtained by the petitioners, namely, buying fish feed, cannot be treated as investment credit and in turn investment loan under Clause-3.3(b) of the Debt Relief Scheme. Therefore, the petitioners are not entitled to debt waiver.”

Mr. Narasimha Rao Gudiseva, learned counsel, who is representing all the petitioners, fairly submitted that following the said order, the petitioners in these cases are also not entitled to the relief claimed in the writ petitions.

Having regard to the aforementioned order of this Court in W.P. No.19139 of 2011, the writ petitions are also dismissed.

As a sequel to dismissal of the writ petitions, interim orders granted in these matters shall stand vacated and all the pending miscellaneous petitions shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

15-7-2015

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