

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice A.V.Sesha Sai

Writ Petition No.25719 of 2016

Date: 19.07.2016

Between:

Chintamaneni Gangesh

..Petitioner

and

The Authorised Officer
State Bank of Hyderabad
Korukonda Branch, Rajahmundry
and another

..Respondents

Counsel for the petitioner: Mr.P.Bhaskar

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner, who failed to comply with Order, dated 11.07.2016, of the Debt Recovery Tribunal, Visakhapatnam at Kolkata (for short 'the Tribunal'), whereby he was permitted to pay the entire amount due within seven days from the date of the said order, filed this Writ Petition with the plea that on account of the

conduct of the respondents, he was not able to pay the same as per the direction of the Tribunal.

Mr.P.Bhaskar, learned Counsel for the petitioner, submitted that since his client was not furnished with the certified copy by the Tribunal till 18-07-2016, the respondents did not receive the amount and that by the time, his client has received the certified copy, the time stipulated for payment of the balance amount has expired.

Except the *ipsi dixit* of the petitioner, no material is filed before this Court to substantiate his plea that he was ready and willing to pay the balance amount as per the directions of the Tribunal, but, it was the respondents, who declined to receive the same in the absence of certified copy. In these circumstances, the only remedy available to the petitioner is to approach the Debt Recovery Tribunal itself for appropriate relief.

Hence, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.31783 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(A.V.Sesha Sai, J)

Dt: 2nd August, 2016
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