

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

[Special Original Jurisdiction]

TUESDAY THE TWENTYTHIRD DAY OF FEBRAURY
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 13796 OF 2009

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Between:

Kadali Nagaraju & Anr. ... Petitioners

Vs.

AP State Co-operative Central Bank,
Rep.by its Managing Director,
Troop Bazar, Koti, Hyderabad & Ors. ... Respondents

Counsel for the Petitioners: Sri Lakkadi Dayaker Reddy

Counsel for the Respondents: GP for Assignment

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 13796 OF 2009

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ORDER :

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Heard Sri Lakkadi Dayaker Reddy, learned counsel for
Petitioners and Sri V.Kishore, learned counsel for contesting
respondents.

2. The petitioners pray for mandamus, declaring the action
of respondents in not implementing the debt waiver and Debt
Relief Scheme, 2008 to the loans availed by the petitioners on par
with similarly situated persons as illegal, arbitrary and
unconstitutional.

3. The petitioners pray for a direction to respondents to
grant fresh loans by waiving the loans taken by the petitioners
from respondent-bank vide Account Nos. 2153 and 2070
respectively.

4. The prayer illustrates the grievance of the petitioners. I
have perused the affidavit and also the counter-affidavit filed by

the second respondent. At the time of hearing, learned counsel for the petitioners relies upon the common order of this Court in WP.No. 24536 of 2008 and batch dated 15/12/2015 and prays for disposing of the writ petition in terms of the said order. Sri V.Kishore submits that the petitioners have made grievance against non-consideration of loan waiver for Account Nos. 2153 and 2070 and according to the stand taken in the counter-affidavit the petitioners are not fully entitled for consideration of their cases under the scheme for the amount borrowed under one of the loan account is not for agricultural purpose.

5. I have taken note of the submissions of the learned counsel for the petitioners. Perused the material available on record and also the order of this Court in WP.No. 24536 of 2008 and batch. I am satisfied that the substantive prayer in this writ petition is covered by the order of this Court in WP.No. 24536 of 2008 and batch. The writ petition is disposed of in terms of the said order. It is made clear that the applicability or otherwise of the benefits under the scheme has to be independently considered and appropriate orders in terms of the common order dated 15/12/2015 is taken and communicated to the petitioners. The said

exercise shall be completed within a period of three months from today.

6. The writ petition is disposed of. No order as to costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT

23/02/2016
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HONOURABLE SRI JUSTICE S.V. BHATT

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NONE

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