

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.19609 OF 2009

ORDER:

Heard Sri Nageswar Rao Palle, learned counsel for petitioner and Sri T. Amarnath Goud, learned counsel for contesting respondent.

The petitioners pray for the following relief:

“....this Hon'ble Court may be pleased to issue Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS, declaring the action of the 2nd respondent in demanding the petitioners to pay the outstanding loan amounts, without extending the benefit in accordance with Clause 4 of the Agriculture Debt Waiver and Debt Relief Scheme, 2008 as illegal arbitrary, unjust and discriminatory and consequently direct the respondents Nos.2 and 3 herein to waive the loan obtained by the petitioners from the 3rd respondent society bearing Loan a/c No.189/97 and 428/97 etc., by extending the benefit of Agriculture debt Waiver and debt relief Scheme, 2008 and to grant.....”

The prayer illustrates the grievance of the petitioners.

I have perused the affidavit and also the counter-affidavit filed by the 3rd respondent. At the time of hearing, learned counsel for the petitioners relies upon the common order of this Court in W.P.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 Nageswar Rao submits that the petitioners have made grievance against non-consideration of loan waiver for Account Nos.189/97 and 428/97 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 and one of the loan accounts is not for agricultural purpose.

I have taken note of the submissions of the learned counsel for the petitioners. Perused the material available on record and the order of this Court in W.P.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 W.P.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 are passed and communicated to the petitioners. The said exercise shall be completed within a period of three months from today.

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

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

S.V.BHATT, J

23rd February 2016
Lrkm