

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

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.37477 of 2015

Dated 26th August, 2016

Between:

Mohd.Rabbani and another

.....Petitioners

And

Andhra Bank, HMTIE Branch, Jeedimetla, Hyderabad-500054,
rep.by its Authorised Officer and another

.....Respondents

Counsel for the petitioners: Sri P.Rajesh Babu

Counsel for the Respondents: ---

The Court made the following:



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

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.37477 of 2015

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for the following substantive relief:

"...to issue an appropriate Writ, Order or direction one in the nature of writ of mandamus by declaring the Orders dt.21-09-2015, passed in CrI.M.P.No.2844/2015, by the Hon'ble Chief Metropolitan Magistrate, Hyderabad in pursuance of Sec. 14 of SARFAESI Act, 2002 application filed by respondent No.1 to take physical possession of the petitioners' house property bearing H.No.10-1-581/1, adm.50 sq.yds., out of total land adm.260 sq.yds., situated at Chintal Basthi, Khairatabad, as illegal, arbitrary and contrary to the provisions of the SARFAESI Act and the Security Enforcement Rules, 2002, and in violation of Article 19-G & 300-A and Principles of Natural Justice, by consequently directing respondent No.1 bank to proceed strictly as per law."

The petitioner has filed a Memo vide USR No.23021 of 2016, wherein it is stated that the dispute raised in this writ petition is settled as per which the petitioners have paid Rs.8,00,000/- towards the full and final settlement of the claim of respondent No.1 and that the latter has issued letter, dated 16.08.2016, to that effect. A copy of the said letter, dated 16.08.2016, is enclosed to the Memo.

At the hearing, Sri P.Rajesh Babu, learned counsel for the petitioners, submitted that in view of the aforementioned subsequent event, the writ petition may be permitted to be withdrawn.

The writ petition is accordingly dismissed as withdrawn.

As a sequel to dismissal of the writ petition, WP.MP.Nos.48216 & 50552 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

26th August, 2016
VGB

