

**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
AND**

THE HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No. 4658 OF 2016

ORDER: *(per Hon'ble Sri Justice Nooty Ramamohana Rao)*

This Writ Petition is filed seeking a writ of *mandamus* declaring the action of the first respondent – State Bank of India, Patnam Bazar Branch, Guntur District, in insisting upon the petitioner to pay an amount of Rs.15,00,000/- in respect of the loan account maintained by the petitioner, failing which threatening to seize the property bearing D.No.27-16-131, NTS No.182, Block No.4, Rev. Ward No.10, Municipal Corporation Area, Patamata Sub-Registry, Krishna District, as bad and unsustainable in law.

The case of the petitioner is that she stood as a guarantor in respect of the property situated at Vijayawada with regard to the cash credit account bearing Account No.30174440575 and term loan Account No.32260632333. According to the petitioner, she is due and liable to pay approximately Rs.7,00,0000/- or Rs.8,00,000/-, whereas the respondent – Bank has inflated her liability unjustly and is now orally insisting upon her to pay a sum of Rs.15,00,000/-, failing which threatening to take coercive steps against her.

We are not at all interested to get into this kind of controversy for its resolution in writ petition. If the petitioner has any grievance with regard to the correctness of the loan account maintained by the respondent - Bank, it is open to her to submit a detailed representation indicating credits/deposits made by her into the said loan account and ask the respondent – Bank to reconcile the account with reference to the credit vouchers produced by her. It is open to the petitioner to obtain a statement of outstanding liability in respect of the said account. As and when the petitioner clears the entire outstanding liability, the respondent-Bank shall duly appropriate the amounts deposited and liquidate the account. For this purpose, we hope and trust that the petitioner would approach the first respondent - Bank by

way of a detailed representation within a maximum period of 30 days from today.

We are confident that as and when the petitioner approaches with any such representation seeking reconciliation of the loan account, the first respondent Bank would unhesitantly undertake such reconciliation and receive such deposits from the petitioner and also make the outstanding liability liquidated completely.

With this, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

DR. B. SIVA SANKARA RAO, J

Date: 24.02.2016
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WRIT PETITION No. 4658 OF 2016
(order of the Bench delivered by the Hon'ble Sri Justice Nooty Ramamohana Rao)

Date: 24.02.2016

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