

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

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

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

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WRIT PETITION No.21869 OF 2016

DATED: 23-08-2016

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Smt. Dendukuri Satyavathi. --- Petitioner.

And

Bank of Baroda,
Bank Street, Kothi, Hyderabad,
Rep. by its Branch Manager,
and six others.

--- Respondents.

Counsel for the petitioner : Mr. B.S.S. Prasad.

Counsel for the respondent Nos.1 & 4 : --

Counsel for the respondent Nos.2 & 3 : Mr. K. Mallikarjuna Rao.

Counsel for the respondent No.5 : Mr. S. Janardhan Goud,
Standing Counsel for
Central Government.

Counsel for the respondent No.6 : Mr. Siva Sai Swarup.

This Court made the following:

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

Assailing the securitization measures initiated by respondent Nos.1 to 3, the petitioner has filed Securitization Appeal No.156 of 2016 before respondent No.4. The petitioner has filed the present Writ Petition with the averment that the Presiding Officer of respondent No.4 was not available and that there was a threat of sale of the mortgaged property. This Court, by order dated 05.07.2016, while admitting the Writ Petition, directed that the sale, if any, conducted on 30.06.2016, shall not be confirmed for a period of four (4) weeks or until further orders, whichever is earlier.

Mr. B.S.S. Prasad, learned counsel for the petitioner, submitted that the Securitization Appeal is still pending before respondent No.4 and that the in-charge Presiding Officer from Kolkata is likely to hold sittings from the first week of September, 2016. In view of the fact that the Securitization Appeal in respect of the same subject matter, as the one in the present Writ Petition, is pending before respondent No.4, we are not inclined to adjudicate the case on merits; instead, the petitioner is relegated to respondent No.4-forum for pursuing the pending Securitization Appeal. To facilitate the petitioner to secure appropriate order, interim order dated 05.07.2016 is extended for a period of one month from today.

The Writ Petition accordingly stands disposed of.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

Date: 23-08-2016.

Dsh

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
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WRIT PETITION No.21869 OF 2016

(Order of the Division Bench delivered by
Hon'ble Sri Justice C.V. Nagarjuna Reddy)

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Date. 23-08-2016

DSH