

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

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.33609 of 2016

30.09.2016

Between:

Smt.S.Sharfoon Bee

..Petitioner

And

The Authorized Officer, Karur Vysya Bank Ltd.,
Kurnool and others

..Respondents

Counsel for the petitioner: Mr.Md.Sharfuddin

Counsel for the respondents: --

The Court made the following:



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

The petitioner, who is a guarantor for the loan sanctioned in favour of respondent Nos.3 and 4, filed this writ petition feeling aggrieved by the purported non-acceptance of her alleged oral request for permitting her to repay the loan amount in four or five installments.

2. Except the *ipse dixit* of the petitioner, no material is produced in support of her plea that she has actually approached respondent No.1 with the aforementioned request. If the petitioner is sincere in her offer to repay the loan amount, she is expected to make a written representation to respondent No.1 and avail appropriate remedy, if such representation is either not considered or rejected.

3. As the petitioner failed to follow the above procedure, she is permitted to make a representation in writing to respondent No.1. If such representation is made, respondent No.1 shall consider the same and communicate his decision to the petitioner within fifteen days of receipt of such representation. If the petitioner feels aggrieved by such consideration, she is left free to avail remedy under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

4. Subject to the above directions, the Writ Petition is disposed of.

5. As a sequel to disposal of the writ petition, W.P.M.P.No.41494 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

30th September, 2016
GHN