

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

CIVIL REVISION PETITION No.1356 of 2013

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ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

This civil revision petition under Article 227 of the Constitution was filed by the guarantor aggrieved by the order dated 01.03.2013 passed by the Debts Recovery Tribunal (DRT), Visakhapatnam, in S.A.No.4 of 2013. At the time of passing a conditional interim order on 17.04.2013, this Court recorded that there is serious doubt about the maintainability of this revision.

Sri A.P. Venu Gopal, learned counsel for the petitioner, would however state that as against the order passed by the DRT in S.A.No.133 of 2012, which was in relation to the very same loan account with the Union Bank of India, which is the subject matter of S.A.No.4 of 2013, an appeal has been preferred and is pending consideration before the Debts Recovery Appellate Tribunal (DRAT).

That being so, this Court is not inclined to adjudicate the present revision petition on merits even if it is maintainable. It would be appropriate that the petitioner canvass the grievance in this revision before the DRAT which is already seized of the connected matter.

The civil revision petition is accordingly dismissed leaving it open to the petitioner to avail the statutory remedy in accordance with law. It is made clear that this Court has not ventured into the merits of the matter and that all issues are left open for consideration and adjudication by the Debts Recovery Appellate Tribunal.

The petitioner shall take appropriate steps to approach the Debts Recovery Appellate Tribunal within one month from today.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

Date:06.06.2016

Note:

Office is directed to return the certified copy of
the order filed in the present civil revision petition.

(B/o)

GJ