

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 12261 of 2008

DATED 6TH JANUARY, 2016

BETWEEN

V. Subba Laxmi @ Suhasini

....Petitioner

And

The Kakinada Cooperative Town Bank,
Rep. by its Managing Director Ramarao Pet, and ors

....Respondents.

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.12261 of 2008.

ORDER:

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This Writ Petition is filed questioning the sale notice dated 9.5.2008 issued by the second respondent for recovery of loan amount advanced by the first respondent.

From the averments made in the accompanying affidavit, it is clear that an ex parte award was made against the petitioner and pursuant to the same, sale notice dated 9.5.2008 for recovery of an amount of Rs.50,000/- with interest at 18% was issued. It is further stated in the affidavit that the petitioner approached the Cooperative Tribunal challenging the ex parte Award. It is the case of the petitioner that as the appeal is pending, notice for enforcement of ex parte award is bad

This Court while giving notice before admission on 13.6.2008 granted interim stay on condition of the petitioner depositing half of the decretal amount before the date of auction.

When the matter is taken up today, the learned Counsel for the first respondent-bank submits that after filing the Writ Petition, the petitioner approached the bank seeking settlement of the loan amount and as a matter of fact, she discharged the loan amount on 6.12.2010 and a certificate of discharge was also issued to her on 21.12.2015. In view of the same, no further orders need be passed in the Writ Petition.

The Writ Petition is therefore closed. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE CHALLA KODANDA RAM

DATED 6TH JANUARY, 2016.
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