

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 40233 of 2016

ORDER: (*Per VRS,J*)

Aggrieved by a possession notice, dated 17.11.2016, issued under Section 13(4) of the SARFAESI Act, 2002, the borrower has come up with the present writ petition.

2. Heard Mr. V. Subrahmanyam, learned counsel for the petitioner. Mr. K.B. Ramannadora, learned standing counsel for State Bank of India, takes notice for the respondents 2 and 3.

3. Till the first week of November, 2016, the Debts Recovery Tribunal at Hyderabad was not functioning, for want of a Presiding Officer. With effect from 03.11.2016, a Presiding Officer has taken charge.

4. All that the petitioner wants is only a time of six months to repay the loan. This request can be made by them in a proper appeal filed before the Tribunal under Section 17 of the Act. We see no reason why the Tribunal will not consider such a request. Therefore,

leaving it open to the petitioner to approach the Tribunal, the Writ Petition is closed.

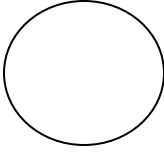
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

22nd November, 2016
cbs





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