

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

WRIT PETITION No.22334 OF 2016

DATED: 13-10-2016

Thamma Srinivasa Raju.

Petitioner.

And

State Bank of Hyderabad,
Rep. by its Branch Manager,
Nereducherla Branch,
Nereducherla,
Nalgonda District and another.

Respondents.

Counsel for the petitioner

:

Mr. C. Raghu.

Counsel for the respondents

:

Mr. CH. Siva Reddy.



This Court made the following:

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

This Writ Petition is filed for the following substantive relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the Orders dated 30.05.2016 passed by the Hon'ble Debts Recovery Tribunal, Hyderabad, in SA No.195/2016 directing the petitioner to deposit Rs.5 lakhs i.e., Rs.3 lakhs before 09.06.2016 and further sum of Rs.2 lakhs within two weeks thereafter, without affording ample opportunity to the petitioner to raise funds, as illegal and arbitrary and pass such other order or orders as may deem fit and proper in the circumstances of the case.”

On 11.07.2016, this Court, while finding no irregularity in the order passed by the Debts Recovery Tribunal, Hyderabad, however, granted a conditional *interim* order directing the petitioner to pay 50% of the entire outstanding dues of the respondent-bank on or before 26.07.2016 and the balance 50% along with other expenses, if any, on or before 10.08.2016. It was also further directed that in default of compliance of either of the said two conditions, the respondent-bank would be at liberty to proceed in the matter, in accordance with law, without reference to the pendency of the present Writ Petition.

At the hearing, Mrs. S. Madhavi, learned counsel, representing Mr. C. Raghu, learned counsel for the petitioner, submitted that her client was unable to comply with the conditional *interim* order of this Court, referred to above.

Since the petitioner failed to comply with the conditional *interim* order, and raise any legally sustainable point, on which this Court can interfere with the impugned order, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition, *interim* order shall stand vacated and W.P.M.P. No.27458 of 2016 and W.V.M.P. No.3642 of 2016 shall stand dismissed as infructuous.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

Date: 13-10-2016.
Dsh



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WRIT PETITION No.22334 OF 2016

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

Date. 13-10-2016

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