

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

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.35604 of 2015

-

Dated 18th July, 2016

Between:

Sridevi Velide

.....Petitioner

And

Bank of India, Head Office, Star House, Plot No.C-5, G Block, Bandra,
Kurla Complex, Bandra East, Mumbai – 400 005, rep.by its General
Manager and another

.....Respondents

Counsel for the petitioner: None appeared

Counsel for the Respondents: Smt.T.Vidya Rani

The Court made the following:

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

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

Writ Petition No.35604 of 2016

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

This writ petition is filed for the following substantive relief:

“...to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents particularly the 2nd respondent in issuing Possession Notice dated 20.10.2015 vide proceedings Ref.No.SUZ:ADV:2015-16, dated 20.10.2015 under Section 13 (4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 without considering the requests of the petitioner to grant installments to

pay the loan amount for repayment of Rs.32,97,558/- as illegal, arbitrary and contrary to the SARFAESI Act, 2002 and rules made there under and consequently set-aside the same in the interest of justice.”

A perusal of the record shows that on 28.03.2016, 12.04.2016 and 06.06.2016, no one represented the petitioner. On the last mentioned date, the following order was passed:

“No representation for the petitioner.

Interim order granted by this Court on 02.11.2015 expired after the last extension on 23.12.2015 due to efflux of time.

The respondent bank is therefore at liberty to take further action in the matter in accordance with law.”

Even today, when the case is called, there is no representation for the petitioner. Hence, it is reasonable to presume that the petitioner is not interested in pursuing her cause in the writ petition. The writ petition is accordingly dismissed for non-prosecution.

As a sequel to dismissal of the writ petition, WP.MP.No.45741 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

18th July, 2016
VGB