

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.4418 OF 2010

ORDER:

____ Heard Sri Mahadeva Kanthrigala for petitioner and _____ Sri G.Bhaskar for 1st respondent. Petitioner challenges notice, dated 06.01.2010, issued under Rule 52 (11) (E) of the Andhra Pradesh Co-operative Societies Act, 1964 as illegal and arbitrary.

2. _____ Learned counsel for the petitioner contends that the amount shown in the notice impugned in the writ petition is not correct and the respondent Bank has not given due credit to the amounts paid by the petitioner. In support of said contention, counsel has drawn my attention to the averments in para No.3 of the writ affidavit.

3. _____ Sri G.Bhaskar appearing for 1st respondent has drawn the attention of Court to Ex.P.4, loan ledger extract of the instant account, and contends that unless and until definite objections to the entries in the ledger extract are pointed out, general and vague allegation does not bring home the objections against impugned notice. He further submits that the petitioner has obtained interim stay on 25.02.2010 subject to condition of petitioner depositing Rs.50,000/- within two weeks from the date of the order. The petitioner has not complied with the said condition.

4. _____ I have perused the material available on record and noted the submission of learned counsel for the petitioner.

5. _____ *Prima facie*, this Court is of the view that the very challenge to notice on the ground that due credit is not given to amounts paid by petitioner is misconceived and such objection has to be made before the very authority which issued notice impugned in the Writ Petition. If the petitioner has any grievance on the amounts shown in the notice

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Dt: 08.08.2016

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