

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

**AND**

**THE HON'BLE SRI JUSTICE G.SHYAM PRASAD**

**W.P.No. 31672 OF 2016**

**DATED 29<sup>TH</sup> SEPTEMBER, 2016**

Between:

Shashidhar Konduri ... Petitioner

AND

Kotak Mahindra Bank Limited,  
Rep. by its Authorized Officer/General Manager,  
3<sup>rd</sup> floor, Division, Raj Bhavan Road,  
Somajiguda, Hyderabad - 500082 ... Respondent

Counsel for the petitioner : Sri A.Jagan

Counsel for the respondent : Sri S.Ashok Anand Kumar

THE COURT MADE THE FOLLOWING

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

This Writ Petition is filed for a *mandamus* to set aside possession notice dated 14-09-2016 issued by the respondent against the petitioner in respect of non-agricultural land and building (rice mill) measuring 2,280 square yards in survey No. 652 of Mall Revenue Village, Yacharam Mandal, R.R. District.

2. On 20-09-2016, this case was adjourned with the direction to the respondent not to enforce the impugned possession notice subject to the petitioner paying Rs.10,00,000/- within one week.

3. Today, at the hearing, Sri A.Jagan, learned counsel for the petitioner, submitted that a day before the said order was passed, a sum of Rs.4,00,000/- was paid and thereafter, another sum of Rs.5,00,000/- was paid. He has further submitted that the balance of about Rs.70,00,000/- will be paid in two monthly installments. Learned counsel further agreed that if the first installment of Rs.35,00,000/- is not paid within one month, the respondent may proceed further in pursuance of the impugned possession notice.

3. Sri S.Ashok Anand Kumar, learned counsel for the respondent, submitted that if the petitioner fails to pay the first installment within the stipulated time, liberty may be given to the respondent to proceed further as submitted by learned counsel for the petitioner.

4. Having regard to the submissions of both learned counsel, as noted above, the Writ Petition is disposed of with the direction to the respondent not to enforce the impugned possession notice subject to the petitioner paying 50% of the balance outstanding amount within one month from today and the balance amount within the next one month. In default of either of the conditions, the

respondent shall be free to take further steps in pursuance of the possession notice.

5. As a sequel to disposal of the Writ Petition, W.P.M.P.No. 39170 of 2016 shall stand closed as infructuous.

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**C.V.NAGARJUNA REDDY, J.**

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**G.SHYAM PRASAD, J.**

Date: 29-09-2016.

JSK

