

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.4941 of 2016

ORDER:

The revision petitioner is the unsuccessful petitioner in I.A.No.298 of 2014 in I.P.No.34 of 2010 on the file of Additional Judge, City Small Causes Court, Hyderabad.

The revision petitioner was no other than respondent No.40 to the debtor insolvency application filed by the revision 1st respondent by saying the other respondents and creditors filed an application before the lower Court in I.A.No.298 of 2014, impugning the very maintainability of insolvency application and the same was dismissed saying that the insolvency application is maintainable under Section 6 of the Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999 (for short 'the Act'), no way a bar, much less from Section 2(b) definition of deposit or Section 2(c) financial establishment or Section 6 jurisdiction of the Special Court in relation to criminal cases. The impugned order which is subject matter of the revision is very clear on the scope and supported by reasons and as such there is nothing to interfere to dispose of with

that the observations herein or in the impugned order of the lower Court no way prejudice any available defence of the revision petitioner and others in the main insolvency application.

Accordingly, the Civil Revision Petition is disposed of.

No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:30-11-2016
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