

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR. JUSTICE B. SIVA SANKARA RAO**

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WRIT PETITION NOS.40203 of 2015 AND 1663 OF 2016

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COMMON ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The grievance of the petitioner in these writ petitions was in relation to the possession notice dated 30.11.2015 and 14.01.2016 issued by the respondent-Bank.

2. By interim order dated 18.01.2016, passed in WP No.40203 of 2015, this Court granted stay of all further proceedings pursuant to the impugned possession notice dated 30.11.2015 subject to the petitioner depositing a sum of Rs.One Crore within four weeks from that day and a further sum of Rs.One Crore within four weeks thereafter. On 21.01.2016, interim stay of further proceedings pursuant to the impugned possession notice dated 14.01.2016 was granted in WP No.1663 of 2016 taking note of the conditional order passed in WP No.40203 of 2015. However, as the petitioner failed to comply with the afore-stated order and as the respondent-Bank filed WVMP No.1741 of 2016 to vacate the interim order dated 18.01.2016, this Court passed orders on 10.06.2016 taking note of the fact that the petitioner had failed to demonstrate its *bona fides* by complying with the conditional interim order dated 18.01.2016 and accordingly vacated the said order leaving it open to the respondent-Bank to proceed further in accordance with law. A similar order was passed on 10.06.2016 in WP No.1663 of 2016 also.

3. In the light of the afore-stated developments, the cause in these writ petitions vis-à-vis the possession notices does not survive for consideration on merits as the petitioner failed to comply with the conditional order dated 18.01.2016 in WP No.40203 of 2015 and the Bank is presently at liberty to proceed further in the matter in accordance with law. As and when the respondent-Bank does so and if such action on its part gives rise to a fresh cause of action, it would be open to the petitioner to seek redressal of its grievance in relation thereto in accordance with law before the appropriate forum.

Reserving liberty to the petitioner to do so, the Writ Petitions are closed.
All issues are left open. Pending miscellaneous petitions in both cases shall
also stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

DR. B.SIVA SANKARA RAO, J

June 24, 2016
LMV