

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 37075 of 2016

ORDER: (*Per VRS,J*)

The petitioner, who borrowed money from the respondent-Bank and who admittedly committed default, has come up with the present writ petition with a very innocuous prayer, which reads as follows:

“to issue a writ, or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in threatening the petitioner to clear entire loan amount without following due procedure as contemplated under Section 13(2) of the Act, as illegal, arbitrary, unconstitutional and violate of principles of natural justice and consequently direct the respondent not to harass the petitioner until disposal of O.A.No.431 of 2016 pending on the file of the Debt Recovery Tribunal, Hyderabad, and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Mr. Suresh Kumar Reddy Kalava, learned counsel for the petitioner.

3. Admittedly, the respondent-Bank has filed an application under Section 19 of the 1993 Act and it is pending. The petitioner has stated

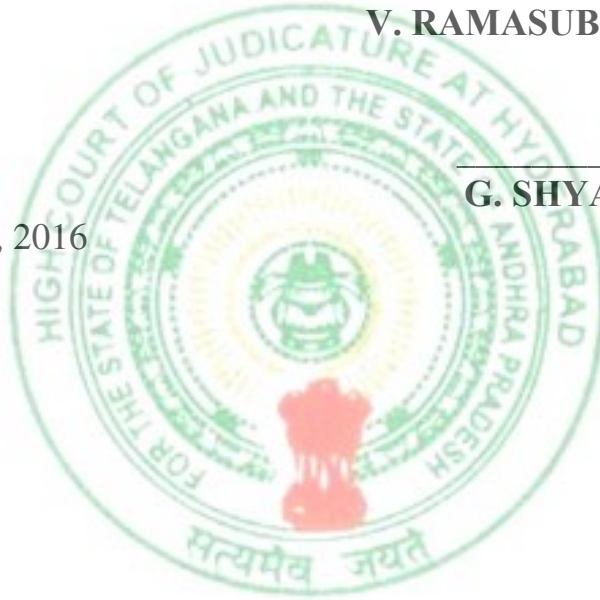
in his affidavit that the Bank Manager came with his henchmen and pressurized him to refund the money. But, the averments, in this regard, in Paragraph-6 are completely vague. Therefore, the prayer made in the writ petition cannot be granted. Hence, the Writ Petition is dismissed.

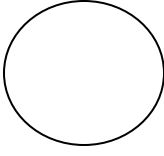
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

1st November, 2016
cbs





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