

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

WRIT PETITION No.7914 of 2016

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

This writ petition was filed assailing the action of the State Bank of India in retaining and deducting the pension payable to the petitioner from his account in State Bank of India, S.Kota Branch, Vizianagaram District. According to the petitioner, this recovery was being made pursuant to the proceedings in RP.No.104 of 2012 in O.A.No.239 of 2010. A further direction was sought to the Bank not to deduct any amount from the petitioner's pension account.

2. By order dated 21.04.2016, this Court directed the Bank not to make any further recovery from the pension account of the petitioner for realisation of the recovery in terms of the proceedings in RP.No.104 of 2012 in O.A.No.239 of 2010.

3. Sri Maruthi Jadhav, learned counsel representing Sri B.S. Prasad, learned standing counsel for the State Bank of India, produced letter dated 17.06.2017 addressed by the Branch Manager, State Bank of India, Srungavarapukota Branch, Vizianagaram District, wherein he stated as under:

“ The Honourable High Court on 21.04.2016 directed the second respondent bank not to make any further recovery from the pension account bearing number 81105652343 of the petitioner for the realization of recovery proceedings passed in RP.No.104 of 2012 in OA.No.239 of 2010 by the third respondent (Debt Recovery Tribunal).

We submit that the Pension Account number of Merapala Nayanappa 11356843321 and the number stated in the order dated 21.04.2016 is Customer Information File

Number. However Bank has not appropriated or adjusted or recovered any amount from the pension account of the Merapala Nayanappa from 21.04.2016 to till date.”

4. In the light for the aforestated communication from the Bank, Sri R.Siva Sai Swaroop, learned counsel for the petitioner, would state that nothing survives for adjudication in the writ petition.

5. The writ petition is accordingly closed recording the communication from the Bank, set out supra. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

GUDISEVA SHYAM PRASAD, J

Date: 22.06.2017.
TJMR

