

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 32978 OF 2017

ORDER:

Petitioners herein are the tenants of the premises bearing H.No.2-17-127/1/21, situated at Annapurna Colony, Uppal, Hyderabad, which was owned by one Sri G.Venkateswara Rao. While so, on 16.09.2017, respondent No.2 along with the officials of respondent No.1 Bank came to the premises and issued a Vacation Notice directing them to vacate the premises within one week. Questioning the same, the present writ petition is filed.

It appears that the premises in question was mortgaged to respondent No.1 by the borrower M/s.Ganesh Engineering Works. The premises has been repossessed by the proceedings initiated under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Respondent No.2 has issued the Vacation Notice, pursuant to the orders, dated 28.08.2017, passed by the Chief Metropolitan Magistrate, Ranga Reddy District in CrI.M.P.No.591 of 2017, for taking physical possession of the said property.

After receipt of the notice, respondent No.1 Bank had consented to allow the petitioners to vacate the premises within two months.

The petitioners also filed an undertaking before this Court that they shall vacate the premises on or before 31.12.2017. The undertaking is made part of the record.

In view of the above, the writ petition is disposed of cautioning the petitioners that violation of the undertaking given by them would result in initiation of contempt proceedings and they would be liable to be prosecuted.

Consequently, the miscellaneous petitions, if any shall stand disposed of.

CHALLA KODANDA RAM, J

Dt:12.10.2017

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