

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No.20731 of 2016

ORDER: (per Justice Sanjay Kumar)

The petitioner/party-in-person assailed the notice dated 26.02.2016 issued by the State Bank of Hyderabad under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the Act of 2002'), and the consequential possession notice dated 10.06.2016.

While so, the petitioner/party-in-person approached the Debts Recovery Tribunal-II, Hyderabad, by way of S.A.No.900 of 2017 filed under Section 17 of the Act of 2002. The said S.A. was dismissed by the Tribunal under order dated 26.05.2017.

Sri Ambadipudi Satyanarayana, learned counsel for the respondent bank, would inform this Court that all the issues sought to be raised by the petitioner/party-in-person before this Court in the present writ petition were canvassed by him before the Tribunal and upon considering the same, the Tribunal disallowed his plea.

In the light of the aforesaid developments, we are of the opinion that it is not open to the petitioner/party-in-person to seek adjudication of the very same issues once again before this Court by way of this writ petition, having filed the S.A. thereafter and suffered an adverse order therein.

The writ petition is accordingly dismissed on this short ground, leaving it open to the petitioner/party-in-person to pursue his remedies, if any, against the order dated 26.05.2017 passed by the Tribunal in S.A.No.900 of 2017 before the proper forum in accordance with law.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

J. UMA DEVI, J

Date: 31.10.2017
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