

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Writ Petition No.9910 of 2017

Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The jurisdiction of this Court is invoked on sympathetic grounds. The petitioner has not pointed out any illegality on the part of the respondent-bank in taking action under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act'). The submission put forth by Sri G.Venkateswara Rao, learned counsel for the petitioner, is that, if some time is granted, the petitioner would sell away her other properties and repay the loan; and, in the interregnum, the respondents should be directed not to put the mortgaged residential house to sale.

The questions whether the petitioner should be granted further time to repay the loan admittedly borrowed by her and which has become a non-performing asset are all matters for the respondent-bank to consider and decide in accordance with law. We see no reason, therefore, to entertain the present writ petition.

It is, however, made clear that this order shall not preclude the petitioner from approaching the respondent-bank and request them to defer repayment of the loan.

The writ petition however, fails and is, accordingly, dismissed. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(Dr. SHAMEEM AKTHER, J)

30th March, 2017

Note:
Furnish c.c. by 1.4.2017.
b/o
pnb

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Date: 30.3.2017

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