

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

WRIT PETITION No.39966 of 2014

ORDER: (per SK, J)

Though there is no representation for the writ petitioner, we are of the opinion that the matter is amenable to disposal in the light of the submission made by Smt. T. Vidya Rani, learned standing counsel for the Bank of India, the second respondent.

This Writ Petition was filed with the following prayer:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order passed by the Respondent No.1/Recovery Officer-I, Debts Recovery Tribunal, Hyderabad in R.P.No.78 of 2012 dated 04.08.2014 attaching the salary and allowances of the petitioner and directing the respondent No.3 to withhold the amount from the salary of the petitioner and to remit the said amount in monthly instalments in favour of respondent No.1/Recovery Officer-I, Debts Recovery Tribunal, Hyderabad as illegal, bad, arbitrary and without having jurisdiction and the same is contrary to the Recovery Certificate dated 26.11.2012 issued by the Debts Recovery Tribunal, Hyderabad in O.A.No.100 of 2007 and notice of demand/certificate Debtors in R.P.No.78 of 2012 in O.A.No.100 of 2007 dated 19.05.2014 issued by respondent No.1/Recovery Officer-I, Debts Recovery Tribunal, Hyderabad and consequently set aside the said order dated 04.08.2004 in R.P.No.78 of 2012 issued by the respondent No.1/Recovery Officer-I, Debts Recovery Tribunal, Hyderabad, in the interest of justice and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Admittedly, the petitioner and his wife were advanced a loan by the second respondent bank.

Smt. T. Vidya Rani, learned counsel, would now inform this Court that the loan account was settled by the borrowers under a One Time Settlement.

That being so, the grievance of the petitioner with regard to the coercive measures taken by the respondent bank in relation to the said loan amount no longer survives for consideration on merits.

The Writ Petition is accordingly closed.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

8th JUNE, 2017.

SANJAY KUMAR, J

GUDISEVA SHYAM PRASAD, J

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