

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE Mr. JUSTICE M. GANGA RAO

Writ Petition No.32387 of 2017

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

While several contentions are urged in challenge to the proceedings of the Chief Judicial Magistrate, Warangal in S.R. No. 120 of 2017 in Criminal M.P. No. 59 of 2016 dated 6.4.2017, Sri O. Manohar Reddy, learned counsel for the petitioner, would submit that, while the petitioner would question all other contentions before the Debts Recovery Tribunal in appropriate legal proceedings, the action of the respondents in detaining 130 bags of paddy is arbitrary and illegal.

When the matter came up earlier, Sri B.S. Prasad, learned Standing Counsel for the State Bank of India, sought time to obtain instructions. Today, the learned Standing Counsel would submit that, 124 bags belonging to the petitioner are lying in the rice mill of the third respondent; of these 124 bags, 104 bags are of paddy and the other 20 of rice; and respondents 1 and 2 are ready and willing to hand them over to the petitioner as and when he approaches the 2nd respondent.

In the light of the submission of Sri B.S. Prasad, learned Standing Counsel for the State Bank of India, we consider it appropriate to direct the 2nd respondent, on the petitioner approaching him seeking release of these 124 bags, to hand over all the 124 bags to the petitioner under due acknowledgment.

As requested by Sri O. Manohar Reddy, learned counsel for the petitioner, all other contentions are left open for the petitioner to agitate, before the Debts Recovery Tribunal, in duly constituted legal proceedings.

The Writ Petition is disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(M. GANGA RAO, J)

9th October, 2017
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Date: 9.10.2017

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