

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.32133 OF 2014

ORDER:

Heard Mr.G.V.S.Mehar Kumar for petitioner and Mr.P.Durga Prasad for respondent No.3.

The petitioner prays for the following relief:

“... to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 2nd respondent in not deciding the I.A.No.43/ 2014 in Disputes Case No.24/ 2014 and proceeded with the Disputes Case without considering the said 1.A is illegal, arbitrary and violative of principal of natural justice and consequently direct the 2nd respondent to decide the I.A.No.43/ 2014 forthwith and to pass such other or further orders as the Honble Court feel deem fit and proper in the circumstances of the case.”

The petitioner filed I.A.No.43 of 2014 before the 2nd respondent praying to set aside the *ex parte* order dated 18.08.2014 in Dispute No.24 of 2014. I.A.No.43 of 2014 is pending. The petitioner is one of the guarantors to the debt borrowed by respondent No.4.

Having regard to the facts and circumstances of the case, the 2nd respondent is directed to dispose of I.A.No.43 of 2014 within a period of six weeks from the date of receipt of a copy of this order and if the 2nd respondent accepts the prayer of petitioner herein, the 2nd respondent to dispose of Dispute No.24 of 2014 within a further period of three months thereafter.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions stand closed.

S.V.BHATT, J

21st July, 2017
Prv