

HON'BLE SRI JUSTICE S.V.BHATT
AND
HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.1220 of 2018

ORDER: (Per SVB,J)

Heard Ms. Gayathri holding for Mr. Mangena See Rama Rao for petitioner and Mr. Umesh holding for Mr. M.Srikanth Reddy for respondents 2 and 3.

The petitioner challenges notice dated 30.12.2017 and order dated 18.11.2017 in CrI.M.P.No.3447 of 2017 in C.F.No.6565 of 2017 on the file of Chief Metropolitan Magistrate, Vijayawada, as illegal, violative of principles of natural justice and contrary to the scheme of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Counsel for petitioner made a few submissions on merits to convince the Court on the grounds the petitioner is relying upon to challenge the notice and order impugned in the writ petition. She has alternatively prayed for deferring the breaking open of locks on 12.01.2018 for a period of one week and in the meanwhile, the petitioner would file an application before the Chief Metropolitan Magistrate and work out the prayers available in accordance with law.

Learned Standing Counsel does not oppose to the limited alternative submission made by the petitioner.

Hence, we are satisfied the writ petition can be disposed of by this order.

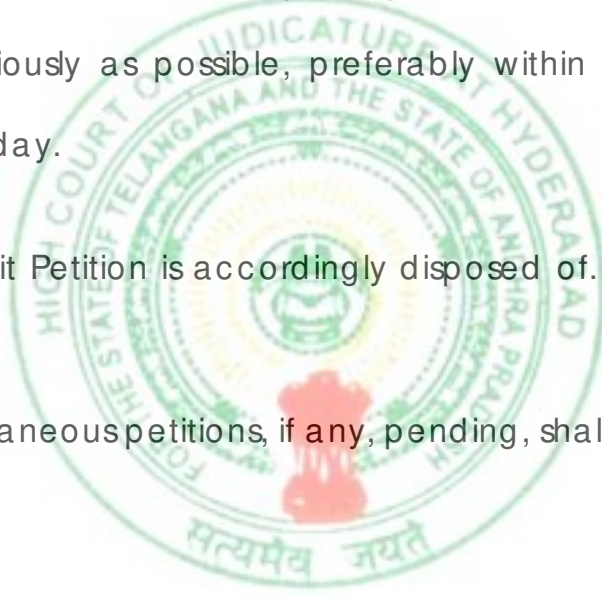
(a) The notice dated 30.12.2017 and order dated 18.11.2017 are deferred for a period of one week from today.

(b) Petitioner is given liberty to file application before the Chief Metropolitan Magistrate, Vijayawada, and work out the grievance in pending C.F.No.6565 of 2017.

(c) Petitioner, if files an application as permitted by this order, the learned Chief Metropolitan Magistrate, Vijayawada, considers passing orders on merits as expeditiously as possible, preferably within two weeks from today.

The Writ Petition is accordingly disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.



S. V. BHATT, J

U.DURGA PRASAD RAO, J

Dt: 11-01-2018

Prv/IBL