

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.3125 of 2018

ORDER: (per SK,J)

The petitioner stood as a guarantor for the vehicle loan availed by Juluri Renuka, the third respondent herein, from the Syndicate Bank. He is aggrieved by the action of the bank in seizing the vehicle purchased by the third respondent pursuant to the loan sanctioned to her and in initiating proceedings before the Debts Recovery Tribunal-II, Hyderabad, in O.A.No.3962 of 2017.

Notice having been ordered, Sri G.K.Deshpande, learned counsel, appears for the Syndicate Bank.

Sri D.V.Ramana Sarma, learned counsel for the petitioner, would state that the respondent bank failed to take into account the amounts already remitted towards clearing the vehicle loan and filed the subject O.A. before the Tribunal in relation to the total amount of Rs.22,29,705/-.

Sri G.K.Deshpande, learned counsel, would however point out that as the petitioner is a party to the subject O.A., it would be open to him to raise his objections before the Tribunal.

We find merit in this submission. It is not open to the petitioner to come before this Court to seek adjudication of the subject objections which can as well be raised by him before the Tribunal in the pending O.A.

Leaving it open to the petitioner to do so, if not already done, the writ petition is dismissed. We make it clear that we have not gone into the merits of the matter and it is for the Tribunal to adjudicate on all issues on their own merits.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

Date:04.06.2018

GJ

