

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.3407 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

Heard Sri P.Ravi Kiran, learned counsel representing Sri B.Bal Reddy, learned counsel for the petitioner, and Sri E.Krishna, learned counsel representing Sri C.Raghu, learned counsel for the second respondent company.

The grievance of the petitioner in this case was with regard to the time stipulated by the Debts Recovery Tribunal-II, Hyderabad, *vide* docket order dated 10.01.2018 passed in I.A.No.115 of 2018 in S.A.No.12 of 2018, for complying with the conditions imposed therein. By the said docket order, the Tribunal granted interim stay of all further proceedings, including taking over physical possession of the subject property by the second respondent company *herein* pursuant to the Warrant dated 12.12.2017 issued by the learned Chief Metropolitan Magistrate, Cyberabad, in CrI.M.P.No.1087 of 2017 and the notice dated 01.01.2018 issued by the Advocate Commissioner, subject to the petitioner depositing 30% of the total outstanding dues of Rs.2,30,01,245/- as on the date of the possession notice in two equal instalments. The first instalment of 15% of the total outstanding dues was to be deposited on or before 16.01.2018 and the second instalment of 15% was to be deposited within two weeks thereafter. Complaining that the time granted was insufficient, the petitioner came before this Court.

By order dated 05.02.2018, this Court took note of the fact that the petitioner had filed proof of her capacity to pay the amount due as on date in terms of the order passed by the Tribunal and accordingly directed

the second respondent company not to take coercive measures till the next date of hearing. In the meanwhile, this Court left it open to the petitioner to hand over the original demand drafts, copies of which were filed in the material papers, to the second respondent company which was directed to accept the same without prejudice.

We are now informed by Sri E.Krishna, learned counsel, that the amounts have duly been paid by the petitioner in full compliance with the order passed by the Tribunal.

That being so, the conditional order granted by the Tribunal stands complied with and the stay granted thereunder remains operative.

The writ petition is accordingly closed leaving all issues open.

Interim order dated 05.02.2018 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.



SANJAY KUMAR,J

P. KESHAHA RAO,J

Date: 21.02.2018
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