

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms. JUSTICE J.UMA DEVI

Writ Petition No.10389 of 2018

Order: (per V.Ramasubramanian, J.)

Challenging a Possession Notice, dated 10-01-2018, the petitioners filed an appeal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the Debts Recovery Tribunal, Visakhapatnam. The Tribunal granted a conditional order of stay on 16-02-2018. This order has been accepted by the petitioners, as the said order is not challenged either before the Debts Recovery Appellate Tribunal or before this Court.

2. However, ignoring the conditional order of the Tribunal, the petitioners made representations for regularisation of the account and have thereafter come up with the above writ petition with a grievance that their requests for regularisation of the account have not been considered.

3. Heard Mr. G.L. Nageswar Rao, learned counsel for the petitioners. Mr. Mohammed Habibullah, learned Standing Counsel, takes notice for the respondents 1 and 2/Bank.

4. At the outset, it should be pointed out that the Bank is not obliged to take note of any of the correspondence that the petitioners had with the Bank after suffering a conditional order of stay from the Debts Recovery Tribunal. So long as the

conditional order passed by the Tribunal is in force, neither the Bank nor the petitioners can go beyond its terms. Today, the petitioners do not seem to be aggrieved by the conditional order of the Tribunal. The conditional order passed by the Tribunal cannot be sought to be modified by the petitioners making representations. Hence, the writ petition is dismissed as not maintainable. The applications, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

02nd April, 2018.
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AND
HON'BLE Ms. JUSTICE J.UMA DEVI

Writ Petition No.10389 of 2018
(per VRS, J.)



02nd April, 2018.
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