

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

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

WRIT PETITION No.16844 OF 2018

Date:02.05.2018

Between:

M/ s.KBR Marine Exports,
Rep.by its Proprietor,
Peda Amiram, Kalla Mandal, W.G.Dist., and another

...Petitioners

Vs.

Canara Bank, Bhimavaram,
W.G.Dist., Rep.by its Authorized Officer and others.

.. Respondents

For Petitioners : M/ s.M.Suryanarayana

For Respondents : Mr.Dishit Bhattacharjee

Gist :

Head Note :

Cases Referred :



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.16844 OF 2018

ORDER: (per V. Ramasubramanian, J)

The petitioners have come up with the above writ petition, challenging a demand notice under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. Heard Mr.M.Suryanarayana, learned counsel for the petitioners. Mr.Dishit Bhattacharjee, learned standing counsel takes notice for the respondents.

3. A demand notice under Section 13(2) of the Act cannot be challenged. In response to the demand notice, the petitioners can make a representation after which the Authorized Officer may pass an order under Section 13(3A) of the Act. It is only thereafter, that the Authorized Officer may proceed with any of the measures under Section 13(4) of the Act and at that stage it will be open to the petitioners to go before the Tribunal.

4. With the above observations, the writ petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

May 02, 2018
KTL