

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 40744 of 2018

Date : 20.11.2018

Between:

D Vijayalakshmi W/o D V Mohan Reddy Aged 56 years Occ
Housewife R/o 6191 Panchayat Veedi seshagiriraopeta
Anaparthi village and mandal East Godavari District Andhra
Pradesh

Petitioner

And

The state of A P
Rep by its Principal Secretary Panchayatraj and Rural
Development Department Secretariat of A P at Velagapudi
Guntur District & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

2. Petitioner defaulted in payment of amount borrowed from 4th respondent society and since due amount is not paid arbitration proceedings were initiated before the Recovery Officer to issue certificate under Section 71 of the A P Cooperative Societies Act, 1964 towards principal amount and interest and penal interest. Thereafter, proceedings were initiated. Aggrieved thereby, petitioner filed C T A No. 22 of 2018 before the Cooperative Tribunal at Hyderabad under Section 76 (6) of the Act. The Tribunal, by order dated 1.11.2018 granted interim stay on condition that petitioner pays an amount of Rs.5,00,000/- or offers security of equal value on or before 9.11.2018. Petitioner filed application for extension of time granted. By order dated 9.11.2018 time sought was extended only upto 12.11.2018 and if earlier order is not complied with by that date, liberty was granted to respondents to go ahead with auction. Aggrieved thereby, this writ petition is filed.

3. Vide memo dated 15.11.2018 petitioner filed Gift Settlement which according to petitioner is in compliance with the directions issued by Cooperative Tribunal on 1.11.2018. On 13.11.2018 this Court granted one week time for compliance of the directions issued by the Tribunal subject to payment of costs of Rs.5000/- to first respondent. It is stated that the costs are paid.

4. Since the orders of Tribunal are reported to have been complied with, cause in the writ petition does not survive for further consideration. However, it is made clear that it is for the Tribunal to examine whether statement of the petitioner that he has complied with the directions are in accordance with the directions issued and to pass

such orders as it deems fit and appropriate in the circumstances of the case. Accordingly, writ petition is disposed of. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 20-11-2018
TVK



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