

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

W.P.No.963 OF 2019

ORDER:

(Per Sanjay Kumar, J)

1 Challenge in this Writ Petition was to the order dated 18.01.2019 passed by the Debts Recovery Tribunal-I, Hyderabad, in I.A.No.93 of 2019 in S.A.No.10 of 2019.

2 By way of the said I.A, the petitioner herein sought stay of further proceedings by the Respondent-Andhra Pradesh Grameena Vikas Bank, including taking over of physical possession of the secured assets, pursuant to the order passed by the learned Judicial Magistrate, Warangal, in CrI.M.P.No.191 of 2018. By the docket order dated 18.01.2019, the Tribunal granted conditional protection to the petitioner. Aggrieved by the conditions imposed, the petitioner came before this Court.

3 By order dated 24.01.2019, this Court directed the respondent Bank not to take any coercive steps pursuant to the order passed in CrI.M.P.No.191 of 2018.

4 While so, Sri P. Hari Prasad, learned counsel for the respondent Bank, would inform this Court that the Bank has decided to start afresh from the stage of Rule 8(1) of the Security Interest (Enforcement) Rules, 2002, by issuing a Possession Notice again. He would further state that the order secured by the Bank in CrI.M.P.No.191 of 2018 will not be given effect to in the light of this decision.

5 In that view of the matter, we are of the opinion that no adjudication is required in relation to the order passed by the Tribunal in connection with the order passed in CrI.M.P.No.191 of 2018.

6 The Writ Petition is accordingly dismissed on this short ground leaving all issues open.

7 Pending miscellaneous applications, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J.

P.KESHAHA RAO, J.

Date: 19.08.2019

Kvsn

