

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.682 of 2006

Date:14.02.2019

Between:

M/s.Azam Foods Products Pvt Ltd.,
Represented by its managing director
Mohd Azam, having its office at
Jadcherla, Mahboobnagar District
and another

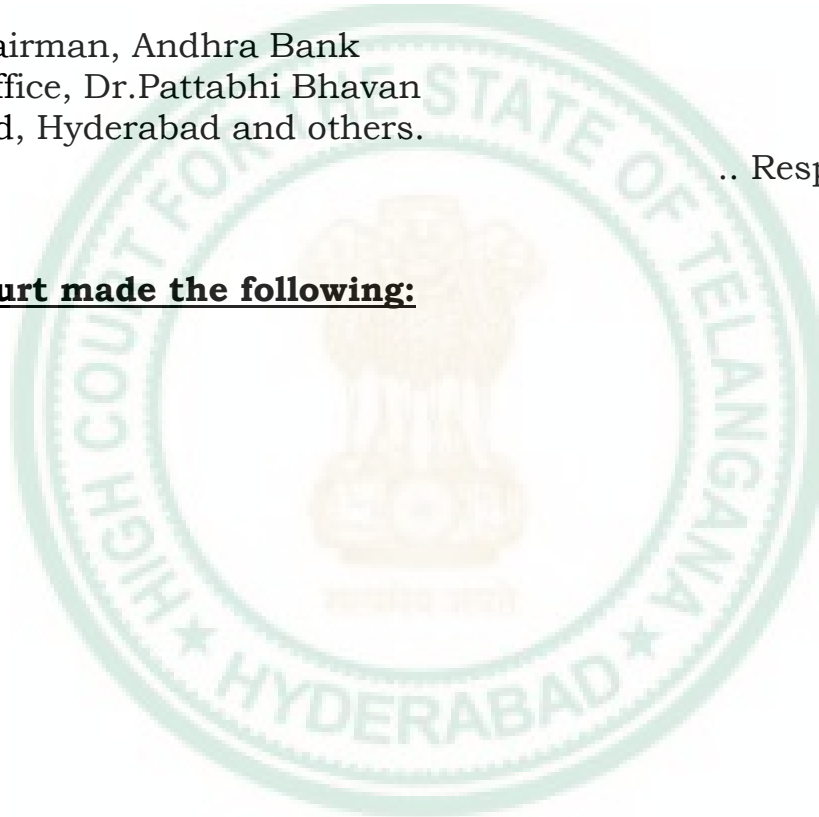
.. Petitioners

AND

The Chairman, Andhra Bank
Head Office, Dr.Pattabhi Bhavan
Saifabad, Hyderabad and others.

.. Respondents

The Court made the following:



HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.682 of 2006****ORDER:**

This writ petition is filed praying to declare the inaction of the 1st respondent in considering the representations dated 15.12.2005 and 04.01.2006 as illegal, arbitrary and violative of principles of natural justice and sought for a consequential direction to the 1st respondent to consider and dispose of the representations.

2 By representation dated 15.02.2005, while the petitioners accepted liability to clear the amounts borrowed from the respondent bank requested to consider one time settlement of all dues in accordance with RBI guidelines and proposed to clear the entire debt. It was to crystallize in one time settlement by way of six equal monthly installments commencing not later than February, 2006.

3. In the representation dated 04.01.2006, the earlier commitment made on 15.12.2005 to clear all dues was reiterated and requested to consider the said representation expeditiously and pending consideration of the representation, requested Senior Branch Manager to keep the proposed sale of seized stock on 19.01.2006 in abeyance.

4. In the counter affidavit filed by the respondent bank, they have listed the amounts paid by the petitioners between 28.01.2006 to 27.09.2006 and they have further stated that on payment of 30 lakhs on 28.01.2006, the stock that sought to be

put on sale was released in favour of the petitioners. According to the averments in the counter affidavit, by 05.10.2006 an amount of Rs.2,14,26,880/- was still due from the petitioners.

5. Learned counsel for the petitioners submits that no instructions are furnished by the petitioners on the present state of affairs.

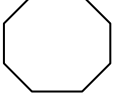
6. Be that as it may, in the representations dated 15.12.2005 and 04.01.2006 petitioners sought limited relief to grant further time with commitment to pay the entire amount in 6 equal monthly installments commencing from February, 2006 which already expired long ago. However, the stock which was sought to be put for sale was stated to have been released by the bank on depositing an amount of Rs.3 lakhs. As such, the cause in the writ petition does not survive.

7. Therefore, the Writ Petition is accordingly dismissed. No order as to costs.

8. As sequel to it, Miscellaneous Petitions, if any pending, shall stand dismissed.

P.NAVEEN RAO, J

Date: 14.02.2019
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