

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.23016 OF 2018

ORDER: (per SK,J)

The petitioner seeks to challenge the recovery proceedings initiated by the Lakshmi Vilas Bank Ltd under the provisions of the Recovery of Debts and Bankruptcy Act, 1993, insofar as they pertain to the plot bearing No.C-12 situated in Survey No.617, Industrial Estate, Moula Ali, Ranga Reddy District.

2. The Bank filed a counter affidavit through its Assistant Vice President along with supporting material. Perusal thereof reflects that the petitioner filed Claim Petition No.4 of 2017 in R.P.No.986 of 2017 in O.A.No.151 of 2003 on the file of the Recovery Officer, Debts Recovery Tribunal-II, Hyderabad, asserting rights over the subject plot on the strength of an unregistered agreement of sale. By order dated 15.06.2018, the Recovery Officer non-suited the petitioner and dismissed his claim petition.

3. It is an admitted fact that the aforestated order dated 15.06.2018 dismissing the claim petition filed by the petitioner has attained finality. That being so, it is not open to the petitioner to again seek to challenge the recovery proceedings initiated by the Bank independently. The petitioner has no *locus* whatsoever to maintain such a challenge.

4. The writ petition is dismissed on this short ground.

5. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

K.LAKSHMAN,J

Date:16.09.2019
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