

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO
And
THE HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.922 of 2020

ORDER : *(Per Hon'ble Sri Justice M.S. Ramachandra Rao)*

Heard learned counsel for petitioner and Sri Ambadipudi Satyanarayana, learned Standing Counsel appearing for respondent Nos.1 and 2.

2. Learned counsel for petitioner states that 3rd respondent is not a necessary party in the Writ Petition. He shall make an endorsement to that effect in the cause title in the Writ Petition.

3. Petitioner, in this Writ Petition, is aggrieved by the inaction of the Debts Recovery Tribunal-II, Hyderabad in extending the interim order granted by the said Tribunal in S.A.No.260 of 2019 staying further proceedings including the application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act') pending disposal of S.A. on 23-12-2019.

4. Learned counsel for petitioner contended that petitioner has filed a claim petition and if the stay order granted by the Tribunal on 18-12-2019 is not continued pending disposal of the S.A., grave prejudice would be caused to the petitioner, who is in possession of the property, and the petitioner would be evicted from the property

which is subject matter of the S.A. without claim petition filed by petitioner being decided.

5. Sri A.Satayanaraya, learned Standing Counsel for respondent Nos.1 and 2 states that by oversight, the Debts Recovery Tribunal-II, Hyderabad did not extend the stay it had granted on 18-12-2019 and that he has no objection for extension of stay pending disposal of the S.A.

6. Accordingly, the Writ Petition is disposed of directing the Debts Recovery Tribunal-II, Hyderabad to decide S.A.No.260 of 2019 pending on its file within three (03) months and pending disposal of the said S.A., there shall be stay of all further proceedings including eviction of the petitioner pursuant to any order passed under Section 14 of the Act by respondent Nos.1 and 2. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

T. AMARNATH GOUD

Date: 20-01-2020

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