

HONOURABLE SRI JUSTICE M.S. RAMACHANDRA RAO

AND

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.4524 OF 2020

ORDER: (Per MSR,J)

Heard both sides.

2. This writ petition has been filed by the petitioners contending that the area of 871 square yards shown in the sale notice dated 27.01.2020 in Schedule - A of Annexure - A is disputed on the ground that there is no security interest created for the entire extent of 871 square yards of land and that only Schedule - B of 270.3 square yards of land inclusive of common passage of 30 square yards out of the total extent of 871.32 square yards was mortgaged to the respondent bank.

3. After hearing the matter, notice was issued to the respondent bank. The respondent bank through its counsel has now filed an undertaking dated 04.03.2020 specifically undertaking that it would proceed only against Schedule - B property of Annexure - A appended to the notice dated 27.01.2020 i.e., open land admeasuring 270.3 square yards (inclusive of 30 square yards of land) of premises bearing No.3-5-45, Ramkote, Eden Garden Road, Hyderabad, and not against Schedule - A land. This undertaking is recorded.

4. Since grievance of the petitioner has thus been satisfactorily addressed, the writ petition is closed granting liberty to the petitioner

to approach this Court if there is any violation of the undertaking filed by the respondent bank in future. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition stand closed.

M.S. RAMACHANDRA RAO, J

T. AMARNATH GOUD, J

March 4, 2020.

NOTE:

Issue CC by tomorrow.

(BO)
PV

