

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY

PRESENT

**THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY
AND
THE HON'BLE SRI JUSTICE K. LAKSHMAN**

WRIT PETITION NO: 6532 OF 2020

Between:

1. G.Arun Kumar,, S/o Late G.Venkatesh Raju, Aged about 51 years, occ Busienss,R/o Plot No.19, Road No.5, TMC Colony, Mahendra Hills, East Maredpally, Secunderabad
2. Smt. G.Niveditha,, W/o Sri G.Arun Kumar, Aged about 46 years, Occ Household, Both are R/o Plot No.19, Road No.5, TMC Colony, Mahendra Hills, East Maredpally, Secunderabad

...PETITIONERS

AND

M/s. Mahaveer Co-Operative Urban Bank Ltd., 15-8-329/22, II Floor, Samudrala Complex, Opp Doodh Ghar (Municipal Office), Feelkhana, Hyderabad - 500 012 rep. by its Authorized Officer u/Act 54 of 2002 CEO cum Authorised Officer under Act 54 of 2002

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, setting aside the orders of the Debts Recovery Tribunal-2, Hyderabad dated 05.03.2020 passed in I.A. No. 1215/2020 in S.A. No. 79/2020 and the same is to be declared as illegal, null and void consequently direct the Debts Recovery Tribunal-2, Hyderabad to pass the orders on merits in SA No. 79/2020 consequently extend the time for further 8 weeks to comply further the conditional order dated 05.03.2020 imposed in I.A. No. 1215/2020 in SA No. 79/2020

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order of the Debts Recovery Tribunal-2, Hyderabad dated 05.03.2020 passed in I.A. No. 1215/202 in S.A. No. 79/2020 to an extent of deposit of remaining balance amount of Rs.7.5 lakhs pending disposal of the writ petition, during pendency of writ petition otherwise the Petitioner will be put to irreparable loss and injury in the interest of justice

Counsel for the Petitioners: SRI V. V. RAMANA

Counsel for Respondent: SMT. V. DYUMANI

The Court made the following: ORDER

**HON'BLE SRI JUSTICE A. RAJASHEKER REDDY
AND
HON'BLE SRI JUSTICE K.LAKSHMAN**

WRIT PETITION No.6532 OF 2020

ORDER: *(per Hon'ble Sri Justice A.Rajasheker Reddy, J)*

This writ petition is filed seeking writ of mandamus setting aside the orders of the Debts Recovery Tribunal-2, Hyderabad dated 05.03.2020 passed in I.A.No.1215 of 2020 in S.A.No.79 of 2020 declaring the same as illegal and consequently to direct the Debts Recovery Tribunal-2, Hyderabad to pass orders on merits in S.A.No.79 of 2020 and consequently to extend the time for further period of eight weeks to comply further conditional order dated 05.03.2020 imposed in I.A.No.1215 of 2020 in SA No.79/2020.

Heard Sri V.V.Ramana, learned counsel for the petitioners and Smt. V.Dyumani, learned Standing Counsel for the respondent Bank.

Learned counsel for the petitioner submits that the petitioner could not deposit the amount as per the time granted by the DRT because of Covid 19. Though this Court has extended time several times, since the situation has not improved, petitioner could not deposit the balance amount. He further submits that if one month time is granted, petitioner will pay the balance amount as ordered by the DRT in IA NO.1215 of 2020 in SA No.79 of 2020.

Smt. V.Dyumani, learned Standing Counsel for the 1st respondent Bank vehemently opposed granting of time.

Since the Covid-19 is still continuing, it is natural that petitioner was prevented from depositing the amount.

In view of the same, this Writ Petition is disposed of granting one month time from today for the petitioner to deposit the balance amount, as ordered by the Tribunal vide order dated 05.03.2020. Failing which,

it is open for the respondent Bank to take appropriate action in accordance with law.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Presiding Officer, Debts Recovery Tribunal - 2, Hyderabad
2. The Authorized Officer, M/s. Mahaveer Co-Operative Urban Bank Ltd., 15-8-329/22, II Floor, Samudrala Complex, Opp Doodh Ghar (Municipal Office), Feelkhana, Hyderabad - 500 012.
3. One CC to Sri V V Ramana Advocate [OPUC]
4. One CC to Smt. V Dyumani Advocate [OPUC]
5. Two CD Copies

MBC



HIGH COURT

DATED: 25/06/2020



ORDER

WP.No.6532 of 2020

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

AJM-6
8/7/2020