

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.773 OF 2008

ORDER:

This writ petition is filed challenging the action of the respondents in demanding entire liability of Rs.334.55 lakhs from the petitioners.

Counsel for the petitioners contended that the petitioners have mortgaged their land in favour of the respondent Corporation as they stood as guarantors to the principal borrower. Counsel for the petitioners further contended that the petitioners have paid Rs.9.12 lakhs as one time settlement in pursuance of the offer made by the respondents, and in spite of the same, the respondents are not releasing the mortgage in favour of the petitioners. Counsel for the petitioners also contended that the petitioners would submit a representation afresh to the respondents and let the respondents consider the same and pass appropriate orders in accordance with law.

Standing Counsel appearing for the respondents had contended that if the petitioners submit a fresh representation to the respondents, the case of the petitioners would be considered and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the petitioners to submit a representation afresh to the respondents within a period of two weeks

from the date of receipt of a copy of this order. Upon such a representation being received, the respondents shall consider the same and pass appropriate orders, in accordance with law, in another eight weeks thereafter.

With the above directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

4th February, 2020

v v

