

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SRI UJJAL BHUYAN
AND
THE HON'BLE MRS JUSTICE SUREPALLI NANDA**

**I.A.NO.2 OF 2022
IN
WRIT PETITION NO: 23954 OF 2022**

Between:

1. Sampangi Mallesh, S/o.S.Kumaraswamy, Aged 43 years, Occ- Service,
2. Smt.Sampangi Renuka, W/o.S.Mallesh, Aged 40 years, Occ- Housewife,

(Both R/o.Plot No.2, West Part, Almasguda Village, Balapur Mandal,
Badangpet, R.R.District)

...PETITIONERS/PETITIONERS

AND

Aditya Birla Housing Finance Ltd, 407, 408 and 409, 4th Floor, Ashoka My
Home Chambers, Begumpet, Secunderabad-500 034, rep.by its Authorized
Officer.

...RESPONDENT/RESPONDENT

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 grant extension of time of 8 more weeks to pay the balance amount as per Orders dt.26.05.2022 passed by this Hon'ble Court in the above Writ Petition

This petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon reading the order dated 26.05.2022 in W.P.No.23954 of 2022 and upon hearing the arguments of Sri T. Sridhar Reddy, Counsel for the petitioners, the Court made the following: **ORDER**

**Heard Mr. Sridhar Reddy Talasani, learned counsel for the
petitioners.**

This interlocutory application has been filed for extension of time to deposit 15% of the outstanding dues in terms of order dated 26.05.2022.

It is submitted that petitioners are trying to sell agricultural land for payment of the aforesaid amount which is taking some time.

Petitioners had filed W.P.No.23954 of 2022 seeking quashing of possession notice dated 13.05.2022 issued by the respondent under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (briefly referred to hereinafter as the 'SARFAESI Act').

This Court by order dated 26.05.2022 had disposed of the writ petition in the following terms:

"5. After hearing learned counsel for the petitioners and considering the materials on record as well as orders passed in identical matters, we are of the view that since petitioners have availed their statutory remedy, they may pursue their remedy for redressal of their grievance. Further, if the petitioners deposit 15% of the outstanding dues as on today within a period of 30 days from today, respondent shall not take further steps pursuant to the possession notice dated 16.08.2021 and notice of the Advocate Commissioner dated 13.05.2022, which in any event would be subject to outcome of S.A.No.111 of 2022. However, if there is any default on the part of the petitioners in making the payment as above, it would be open to the respondent to take appropriate steps for recovery of dues."

Having heard learned counsel for the petitioners and on due consideration, we extend the period of payment of 15% of the outstanding dues by 30 more days i.e., till 26.07.2022. If 15% of the outstanding dues is not paid by 26.07.2022, the interim protection granted by this Court on 26.05.2022 would no longer be available to the petitioners.

This disposes of the I.A.

//TRUE COPY//

Sd/- N. RAJAGOPAL
ASSISTANT REGISTRAR



SECTION OFFICER

- To,
1. The Authorized Officer, Aditya Birla Housing Finance Ltd, 407, 408 and 409, 4th Floor, Ashoka My Home Chambers, Begumpet, Secunderabad-500 034.
 2. One CC to Sri Sridhar Reddy Talasani Advocate [OPUC]
 3. Two CD Copies
 4. One Spare Copy

MBC



HIGH COURT

DATED:01/07/2022



ORDER

I.A.NO.2 OF 2022
IN
WRIT PETITION NO: 23954 OF 2022

EXTENSION OF TIME

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NMA
08/07/2022