

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 18352 of 2004

Between:

Mrs. Meena Kumari

..... PETITIONER

AND

The Divisional Cooperative Officer,

Golconda Division, Hyderabad and 2 others

.....RESPONDENTS

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ORDER:

Seeking a Mandamus, declaring the action of the respondents in issuing the proceedings in E.P.No.810/2004/WB-GD to conduct public auction of the residential premises of the petitioner on 08.10.2004, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Cooperation.

The learned counsel for the petitioner stated that the petitioner met with an accident and became bankrupt and as such, she is not in a position to discharge the entire loan amount in lumpsum, and if time is granted, the petitioner will discharge the entire loan amount in four monthly instalments.

The learned Government Pleader for Cooperation opposed the same.

Having regard to the facts and circumstances as explained by the petitioner, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the petitioner to pay the entire amount due to the 2nd respondent in four equal monthly instalments, on or before 5th of every succeeding month commencing from November, 2005. If the petitioner fails to comply with the order or if fails to pay any instalment within stipulated date, the respondents can proceed further, in accordance with law.

With the above observations, the Writ Petition is disposed of. No order as to costs.

K.C. BHANU,J

Dated: 30.09.2005

Dsr

Note:

Issue CC in 3 days

B/o

Dsr