

THE HONOURABLE SRI JUSTICE C.V.NAGARJUNA REDDY  
WRIT PETITION No.21469 of 2009

Dated 31<sup>st</sup> March 2010

Between:

B.Kalyan Chakravarthi Naik

\_\_\_\_\_  
...Petitioner

And:

1. State of AP., reptd., by the Secretary,  
Home Department Hyderabad  
and four others.

\_\_\_\_\_  
...  
Respondents

Counsel for the petitioner: Sri Venkateswara Rao Gudapati

Counsel for respondent Nos.1 & 2: Govt Pleader for Home

Counsel for respondent Nos.3 to 5: Sri J.Lokesh Reddy

The Court made the following:

ORDER:

The grievance of the petitioner is that respondent Nos.3 and 5 have been resorting to illegal methods of bringing pressure on him to pay the loan amount by sending their agents to his residence and office.

The learned counsel for respondent No.3-bank stated that his client is a private bank, which is not amenable to the jurisdiction of this Court. This Court by order, dated 08.10.2009,

directed respondent No.3-bank not to take coercive steps for recovery of the loan without following due process of law.

In my opinion, on the facts of this case, it is not necessary for this Court to decide the objection regarding maintainability of the writ petition raised by learned counsel for respondent No.3-bank in this case.

Respondent No.3 is entitled to invoke all such remedies as are available to it under law for recovery of the loan amount. Such a permission has already been given by this Court by order, dated 08.10.2009. In the light of the said order, the writ petition is disposed of with liberty to respondent No.3-bank to avail appropriate remedies for recovery of the outstanding loan amount from the petitioner, without interfering with his life and personal liberty.

As a sequel to disposal of the writ petition, interim order, dated 08.10.2009, is vacated and W.P.M.P.No.27896 of 2009 and W.V.M.P.No.987 of 2010 are disposed of as infructuous. There shall be no order as to costs.

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JUSTICE C.V.NAGARJUNA  
REDDY

31<sup>st</sup> March 2010

dr