Karnataka High Court

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Smt R Sugunavathi vs The Deputy Commissioner & ... on 8 September, 2009
Author: Mohan Shantanagoudar
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IN THE HIGH coma' OF KARNATAKA AT
'Dated this the 8"' Day of September,
BEFORE,
TI-IE I-ION'BLE MR.JUSTICE .
WRIT PE'1'moN No. 20s§22 %of 2009
BETWEEN:
1 Smt. R Sugunavatriié t .
W/o Nagarajayya '
Aged abo.ut.f}2 yee{Ers:
2 Ne.garajVEa;I"ygi'1.::;:A. *
S./0 K0k'2:p .pz i 4'
Aged '-- about ~
Bothare residing at $0.549/1
WIES Liiyouti.
.. «.{Mu'thyalar1'agara V
" VGo}:ula A. Layout """ " i
. M athik'e1"~e
it 'Bangalore 560 054 ...Petitioners
Sn' Krishnamoorthy D, Advocate)
'ii V ""=The Deputy Commissioner
' ' "and District Magistrate
Bangalore District
l\J
Bangalore - 560 001
2 Housing Development Finance
Corporation Ltd.,
No.51, Ksturba Road
Bangalore --- 560 001 ---
[By Sn' B s Mahendra, AAdV\_odc--a:te fo1Y":\_2\_2)\sim . \sim. "
This Writ Petition is £11éd'luhaper articles :2v2é~---,ahd 227 of
the constitution of India, prayingdto quash the impugned order
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passed by the Deputy Gomniisisioner and Districtwivlagistrate, Bangalore District. Bangalolfe E-in '<._Mis'eellaneous Recovery (Banks) CR/40/2009-10 adatedf' 30--"5*20'09 produced at

Annexure-C and allow theV W'1i.t 13'etition;y jv --- *

This wat'pa:;t:on &.on=ia,:r1\s o4n_for"prehminal'y hearing this day, the Court made. the fo].lowing: H >>

The first pe_tit§.one:_r" has filed an affidavit dated

07.0.9i2'(V)09 bringingv___to_the notice of this Court that the over

vup:to.pdate,__due to the Bank are paid and she undertakes

thattashe' the monthly loan instalments reguiarly

. henceforth. "

:'f1_1tud1"e.V

- 2. The affidavit filed hy the first petitioner is" on
 record. Since the petitioners have deposited the_--over"diie>s :dLle~.>
 to the Bank, as on this day, this __Col_i_rt p.r¢pogi¢g to 'take a'?
 lenient View in the matter, more p'articuilariy,i" when V-Tine
 petitioner has sworn to the faet«--..that as-he 'ArouJid'A§:3ev..,repgular
 paying the instalments in futureiiu --
- 3. In View of :.pno.i"useifi;~1"'purpose will be
 served in "pending. Petition is
 accordingly) the contents of the
 qjffidavit jt"ied_ gp'etitionen it is open to the
 respondent--Banki »to the petitioners in

accordance 'With law; the petitioners comnit single default in Sd./"

JUDGE