

Court No. - 3

Case :- WRIT - C No. - 40427 of 2023

Petitioner :- Nandan Singh Verma

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sunil Dubey

Counsel for Respondent :- C.S.C.,Ajay Shankar

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

1. Heard learned counsel for the petitioner; learned Standing Counsel and Sri Manish Mehrotra, learned counsel for the respondent-Bank.

2. When there was an auction being done of the mortgaged property of the petitioner, the petitioner approached this Court by means of Writ-C No.20832 of 2022 (Nandan Singh Verma vs. State of U.P. & Ors.) wherein on 27.7.2022, the following order was passed :-

"Heard Sri Sunil Dubey, learned counsel for the petitioner, learned Standing Counsel for the State-respondent and Sri J.S. Pandey, Advocate holding brief of Sri Manish Malhotra, learned counsel for respondent nos.2 and 3/bank.

Contention of learned counsel for the petitioner is that although the petitioner has deposited the entire amount in terms of the order dated 26.10.2021 in Writ-C No.27777 of 2021 (Nandan Singh Vs. State of U.P. and 2 Others) and yet the respondent-bank has illegally created huge demands against the petitioner.

Learned counsel for the respondent-bank prays for and is granted ten days time to file counter affidavit. Petitioner shall have five days thereafter to file rejoinder affidavit.

Put up as a fresh case on 16th August, 2022 before appropriate Bench.

The auction proceedings, if any, initiated by the respondent-bank with

respect to mortgaged property in question, shall remain subject to result of the writ petition"

3. Definitely, from the order, we find that the petitioner was well protected against any auction etc.. No further writ petition is now, therefore, maintainable.

4. This writ petition is, therefore, not being entertained. It is, accordingly, dismissed.

Order Date :- 22.11.2023
GS

(Shekhar B. Saraf, J.)

(Siddhartha Varma, J.)