

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

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WRIT PETITION No.27609 of 2015

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ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed with the prayer, which reads as under:

“..this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Mandamus declaring the possession notice dated 30.07.2015 published in Eenadu Telugu Daily on 02.08.2015 in respect of the petitioner's property is concerned, as illegal, arbitrary, violation of principles of natural justice and violation of Articles 14, 21 and 300-A of the Constitution of India and also contrary to the provisions of SARFAESI Act, 2002 and consequently set-aside the same including the consequential proceedings thereon, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

On 28.08.2015, this Court, while issuing notice before admission, granted interim order on condition of the petitioner depositing Rs.2,50,000/-.

When the matter was called on 05.10.2015, there was no representation for the petitioner. Even on 29.10.2015, as there was no representation for the petitioner, the matter was directed to be posted on 30.10.2015 under the caption “for dismissal”. Subsequently, when the matter was listed on 30.10.2015, it was represented that the counsel for the petitioner was not well and, therefore, the matter was adjourned.

Today also there is no representation for the petitioner and it is submitted by learned counsel for the respondent – Bank that the petitioner has not complied with the condition imposed in the order dated 28.08.2015. It appears the petitioner is not interested in pursuing the matter.

Accordingly, the writ petition is dismissed for non-prosecution.
No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

07.12.2015

v v