

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

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WRIT PETITION No.26240 OF 2005

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

This Writ Petition is filed with the prayer, which reads as under:

“... to issue a Writ of Certiorari or any other appropriate Writ by calling for the records of the Respondent no.1 is S.a.No.15 of 2004 holding the same is unlawful, without jurisdiction and contrary to the provisions of Section 13(2) and (4) of the SERFAESI Act 2002 and also contrary to the dicta of the Honourable Supreme Court in AIR 2002(4) SC 311 and consequentially quash the same and declare that the sale conducted by the Respondent No.2 of the Semi Finished flat of Petitioner to the Respondent No.3 is void abinitio and non est consequentially set a side the order dated 07.10.2005 in S.A.No.15 of 2004 on the file of Debts Recovery Tribunal Hyderabad and pass such other order(s) as this Honourable Court may deem fit and proper in the circumstances of the case.”

The Writ Petition is dismissed for default against respondent No.3 as per order, dated 18.04.2011, and since then, no steps have been taken to set aside such order and it has become final. Therefore, the petitioner is not entitled to the relief as prayed for in this Writ Petition.

Accordingly, the Writ Petition is dismissed. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. No costs.

R. SUBHASH REDDY, J

A. SHANKAR NARAYANA, J

September 30, 2015

MD