

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

WRIT PETITION No.30365 of 2015

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

In this writ petition, the petitioner has questioned the action of the respondents in issuing e-auction notice dated 11.08.2015 for conducting auction of the secured asset i.e., land admeasuring 1120 sq. yards covered by Sy.No.95/5 of Kalavalapalli Village, Chagallu Mandal, West Godavari District, in exercise of powers under the provisions of SARFAESI Act.

While issuing notice before admission on 21.09.2015, this Court, while permitting the respondents to proceed with auction, directed them not to issue the Sale Certificate to the auction purchaser, if the property is sold in the auction, on condition of the petitioner depositing an amount of Rs.28,00,000/-.

Today when the matter is called for hearing, it is submitted that pursuant to the auction notice, no auction was conducted. It is also submitted that the petitioner intends to settle the account by approaching the respondents.

As much as the auction is not conducted pursuant to the auction notice dated 11.08.2015, the subject matter of the writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. However the petitioner is at liberty to approach the respondents and settle his loan account. No order as to costs.

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

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

17.11.2015

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