

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

WRIT PETITION No.31330 of 2013

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

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

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a WRIT OF MANDAMUS or any other appropriate writ or direction declaring the action of the 2nd respondent in issuing possession notice dated 18.07.2013 under Rule 8(1) of the Security Interest (Enforcement) Rules, 2002, which was published in daily newspaper dated 21.07.2013 as illegal, arbitrary and contrary to the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and consequently set aside the same and pass such other or further orders as the Hon'ble Court feels deem fit and proper in the facts and circumstances of the case.”

When the matter is called for hearing, it is submitted by the learned counsel representing Smt.K.Lalitha, Advocate on record for the petitioners, that the Advocate on record has given-up the vakalath. There is no appearance by any other Advocate.

On the other hand, learned counsel appearing for the respondent Bank submitted that no interim orders are passed in this writ petition and subsequently when sale notice was issued, the petitioners have filed two writ petitions being W.P.Nos.750 of 2014 and 33175 of 2014 and the same were dismissed, granting liberty to approach the Debts Recovery Tribunal by availing the remedy as contemplated under Section 17 of the Securitisation and

Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

As there is no representation for the petitioners, it appears they are 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

06.10.2015

v v