

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY , THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN**

:PRESENT:

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

WP .NO:3004 of 2015

Between:

Smt. B. Siva Parvathi, W/o. Yedukondaiah,

..... Petitioner

AND

State Bank of Patiala, Rep. by its Authorized Officer, Durgapuram Branch,
Vijayawada..

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus to declaring the action of the respondent in issuing the sale / Auction notice dt.9.1.2015 under Securitisation and reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 to sale the immovable property belongs to the Petitioner vide Building bearing Assessment No.24665A/1, 21654 (New) and D.No.31-22-2 together with 86.0 Sq. Yds or 66.89 Sq. Mtrs of House site in Municipal Ward No.27, Situated in Machavaram within the limits of Vijayawada Municipal Corporation, Gunadaia Sub Registry without issuing the demand notice afresh is illegal and arbitrary and violation of principles of natural justice and consequently direct the respondent not to conduct sale / Auction of the petitioner's property in pursuance of the Auction notice dt.09.01.2015 and set aside the same.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of MRS. PULIPATI RADHIKA, Advocate for the Petitioner, the Court made the following.

ORDER:

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An affidavit dated 18.02.2015 is filed by the petitioner stating that, if two months' time is granted, she would pay the amount due to the bank within the said period. In view of the affidavit of undertaking now filed before this Court, we consider it appropriate to direct the respondent not to confirm the sale or execute a sale deed in favour of the highest bidder for a period of four weeks. The auction proceedings may, however, go on.

Post the Writ Petition for admission on 12.03.2015.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1.The Authorized Officer, Durgapuram Branch, State Bank of Patiala
Vijayawada **(by RPAD)**
2. One CC to MRS. PULIPATI RADHIKA, Advocate (OPUC)
3. One spare copy.

Tvr

HIGH COURT

RRJ * MSMJ

ORDER

DATED: 19-02-2015

WP NO.3004 OF 2015

POST ON 12-03-2015

DRAFTED: TVR
DATED: 19-02-2015

HIGH COURT

RRJ * MSMJ

ORDER

DATED: 19-02-2015

WP NO.3004 OF 2015

POST ON 12-03-2015