

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

WRIT PETITION No.8765 of 2014

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

This writ petition is filed by the petitioner seeking *Mandamus* to declare e-action public notice dated 26.2.2014 issued by the Authorised Officer of the 1st respondent-Bank for sale of agricultural lands of the petitioner in an extent of Acs.6.35 guntas in Sy.Nos.481, 482, 485, 496, 499 and 500, situated at Gowdaveli Village, Medchal Mandal, Ranga Reddy District, in exercise of powers conferred under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. Earlier, when e-auction sale notice dated 10.6.2014 was issued by the 1st respondent-Bank, the petitioner has questioned the same by way of filing appeal bearing S.A.No.479 of 2014 before the Debts Recovery Tribunal, Hyderabad. On the ground that her application for grant Of interim orders is not taken up for consideration, as there is no Presiding Officer for the Tribunal at that point of time, the petitioner has approached this Court by filing the present writ petition in the month of March, 2014.

3. On the last occasion, it was submitted by the learned counsel for 1st respondent-Bank that the aforesaid lands,

which are notified for sale, were converted into non-agricultural lands by the competent authority. The learned counsel also produced a copy of the docket order dated 10.7.2014 in S.A.No.479 of 2014 passed by the Debts Recovery Tribunal, Hyderabad.

4. From a perusal of the said order, it is clear that the petitioner has questioned the e-Auction notice dated 10.6.2014 before the Debts Recovery Tribunal, Hyderabad, in S.A.No.479 of 2014 and the Tribunal, vide order dated 10.7.2014, deferred the said auction sale until further orders.

5. Whether e-Auction sale notice dated 10.6.2014 is valid or not and whether the agricultural lands, which are notified for sale, are converted into non-agricultural lands or not, are matters to be decided by the Debts Recovery Tribunal, Hyderabad. Having regard to the interim order dated 10.7.2014 passed in S.A.No.479 of 2014, there is no need to adjudicate the cause in this writ petition, at this stage.

6. In view of the interim order dated 10.7.2014 in S.A.No.479 of 2014 passed by the Debts Recovery Tribunal, Hyderabad, the writ petition stands disposed of. However, it is open to the Tribunal to take into consideration the questions raised by the petitioner and dispose of the appeal by passing appropriate orders in accordance with law, having regard to the material placed on record by both the parties. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

09.07.2015.

Msr

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