

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

WRIT PETITION No.6948 of 2015

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

This writ petition is filed by the petitioners seeking the following relief:

“..... Writ of Mandamus declaring the action of the 1st respondent, Authorised Officer in under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) without considering the objections dt.24.12.2012 in terms of Sec. 13 (3A) of the Act to the Demand Notice dt.02.05.2012 under Section 13(2) of the SARFAESI Act and straight away proceeding to take possession of the residential flat by invoking Section 14 of the Act without issuing any possession notice under Sec. 13(4) of the SARFAESI Act, 2002 is highly illegal, arbitrary and violative of Article 14 of the Constitution of India and contrary to SARFAESI Act and to take physical possession of the petitioners' residential Flat No.202, in 2nd Floor, situated at Sai Kiran Residency, Vinay Nagar Colony of Saidabad, Hyderabad, as illegal, arbitrary and liable to be set aside in the interest of justice.”

2. When the matter is called for hearing, it is represented by the learned counsel for petitioners that during the pendency of writ petition, the petitioners have filed a representation before the respondent-Bank and hence sought for disposal of the writ petition with a direction to consider the said representation.

3. Though the petitioners alleged to have filed a

representation, a copy of such representation is not placed on record. In the absence of such representation, no direction can be granted in this writ petition.

4. However, as the relief sought in the writ petition is not pressed for, subject to the above observation, this writ petition stands disposed of. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

28.09.2015.

Msr

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