

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.28640 of 2011

Dated 16th July, 2015

Between:

Prathipati Vishnu Murthy and another

...Petitioners

And

The Deputy Registrar/Officer on Special Duty, the District Co-operative Central Bank Ltd., No.2965, Eluru, West Godavari District and others

...Respondents

Counsel for the petitioners: None appeared

Counsel for respondent No.3: Smt.Bobba Vijaya Lakshmi

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to declare the action of the respondents in issuing sale notices, dated 19.09.2011, in CBCEP Nos.422, 423 of 2011-12, and dated 19.09.2011, in CBCEP Nos.424, 425 of 2011-12, on the file of the respondent No.1, as illegal and arbitrary.

At the hearing, there is no representation for the petitioners.

Smt.Bobba Vijaya Lakshmi, learned counsel for respondent No.3, submitted that after filing of this writ petition, the respondents have issued a fresh sale notification and challenging the same, the petitioners filed W.P.No.26165 of 2014 and that this Court has dismissed the said writ petition.

The learned counsel has placed before the Court a copy of the

order, dated 17.10.2014, in W.P.No.26165 of 2014. In the said order, this Court has found fault with the petitioners for not disclosing the fact of filing of the present writ petition i.e., W.P.No.28640 of 2011, and the non compliance of the interim order granted therein and dismissed the said writ petition for suppressing those material facts. The learned counsel further submitted that thereafter, the petitioners have filed W.P.No.10483 of 2015 and failed to secure any interim order and that subsequently, they have settled one loan account, leaving another loan account unsettled.

In the light of these subsequent events, no relief can be granted to the petitioners. Hence, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, interim order, dated 21.10.2011, shall stand vacated and W.P.M.P.No.35383 of 2011; W.P.MP.No.815 of 2012 and W.V.M.P.No.4636 of 2011 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

16th July, 2015
VGB