

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

:PRESENT:

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

WP .NO:22124 of 2015

Between:

M/s. Kennedy International School Pvt Ltd., (Formerly Andra Dat) Executive
Club Pvt Ltd., Having its office at Eluru, West Godavari District Represctor
Mr. Direented by its President PTNVAR Sudershan

..... Petitioner(s)

AND

The State Bank of India Stresses Assets Management Branch,
Secunderabad, 5TH Floor, HMWSS Compound, Khairatabad, Hyderabad
Rep. by it Authorized Officer.

.....Respondent

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 by declaring the action of the respondent in conducting auction in respect of the properties of the petitioner being the guarantor without following due process of law and consequently in not accepting the offer of the petitioner to pay the bid amount of Rs 3.71 crores is illegal, arbitrary violative of Articles 14, 21 and 300 A of the Constitution of India, besides violative of Principles of Natural Justice and consequently direct the respondent to accept the proposal of the petitioner to pay the bid amount of Rs. 3,71 crores being the highest bid amount.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in herein and upon hearing the arguments of SRI N. INDRASENA REDDY, Advocate for the Petitioner and of Sri B.S. Prasad, Standing Counsel for the Respondent, the Court made the following.

ORDER:

Post on 08-10-2015.

Pending further orders, status quo as on today shall be maintained and no Sale Certificate shall be issued to the third party – auction purchaser.

**Sd/- A. SURYA PRAKASH RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Authorized Officer, State Bank of India Stresses Assets Management Branch, 5TH Floor, HMWSS Compound, Khairatabad, Hyderabad (**by RPAD**)
2. One CC to SRI N. INDRASENA REDDY, Advocate (OPUC)
3. One spare copy.

Tvr

HIGH COURT

RSRJ & ASNJ

ORDER

DATED: 07-10-2015

WP NO.22124 OF 2015

STATUS QUO

DRAFTED: TVR
DATED: 07-10-2015

HIGH COURT

RSRJ & ASNJ

ORDER

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