

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

WRIT PETITION No.31388 of 2015

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

This writ petition is filed by the petitioner challenging the E-Auction Sale Notice dated 24.08.2015 issued by the respondent-Bank, in exercise of powers under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, proposing to sell the property bearing H.No.1-8-40 on Plot No.66 in Sy.No.319, North Kamalanagar, ECIL Post, Kushaiguda, Ranga Reddy District, as arbitrary and illegal.

2. While issuing notice before admission, this Court, by order dated 28.09.2015, allowed the auction to go on, however, directed that the Sale Certificate should not be issued in favour of the highest bidder, on condition of the petitioner depositing a sum of Rs.30,00,000/- (Rupees thirty lakhs only) within two weeks from the date of the said order.

3. When the matter is called for hearing, it is represented by the learned counsel for petitioner that auction was not conducted and the petitioner also has not deposited any amount in terms of the order dated 28.09.2015.

4. In view of the said submission, pursuant to the impugned Sale Notice dated 24.08.2015, since auction was not conducted, the cause in this writ petition does not survive for adjudication and the writ petition has become infructuous.

5. Accordingly, this writ petition is dismissed as

infructuous. Interim order granted by this Court on 28.09.2015 is vacated. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

02.11.2015.

Msr

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