

THE HON'BLE SRI JUSTICE K.C.BHANU

AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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WRIT PETITION No.14747 of 2015

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ORDER: (per Hon'ble Sri Justice K.C.Bhanu)

This Writ Petition, under Article 226 of the Constitution of India, is filed to set aside the impugned E-Auction sale notice dated 10.04.2015 fixing the date of auction of the property as 18.05.2015 by respondent No.1 bank in respect of property bearing House No.4-64 & 1-6-142(Old) 11-6-99/5&6 (New) North-west part on land admeasuring 112 sq. yards (Actual) having plinth area of 1384 square feet (GF 520 Sft & First Floor 864 Sft) of RCC in survey No.150, situated at Cherduthota Colony, Saroornagar Village and Revenue Mandal, Ranga Reddy District.

2. Heard.

3. Admittedly, against the e-auction sale notice, the petitioners approached the Debts Recovery Tribunal (DRT) by filing S.A.I.R.No.599 of 2013.

4. Petitioners cannot be permitted to prosecute two parallel proceedings in respect of same cause of action. Petitioners have already approached DRT for redressal of their grievance by filing the aforesaid Securitisation Application. Therefore, the Writ Petition is devoid of merit and it is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed

K.C.BHANU, J

M.SATYANARAYANA MURTHY, J

MAY 21, 2015

GHN/YVL

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Dt: 21.05.2015

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