

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.8277 of 2016

29.07.2016

Between:

Reddy

Smt.Y.Prameela

..Petitioner

And

M/s.Oriental Bank of Commerce,
Hyderabad and others

..Respondents

Counsel for the petitioner: Mr.Sharad Sanghi

Counsel for respondent No.1: Mrs.Kalpna Ekbote

Counsel for respondent Nos.2 to 4:--

The Court made the following:

1

—

—

—

—

-

ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This writ petition is filed for a *mandamus* to restrain respondent No.1 bank from confirming the sale of schedule properties in favour of the auction purchasers, if any, in the auction, if any, conducted by respondent No.1 bank on 26.02.2016 in pursuance of e-auction notice published in "The Times of India" English daily newspaper, dated 15.01.2016.

2. Mrs.Kalpana Ekbote, learned counsel for respondent No.1 bank, has submitted that in pursuance of the impugned auction notice, 15.01.2016, four items of the schedule properties were put to sale and that two out of those items were sold.

3. Mr.Sharath Sanghi, learned counsel for the petitioner, has submitted that in view of these subsequent events, his client may be permitted to avail the remedy under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

4. The Writ Petition is, accordingly, dismissed, with liberty to the petitioner in terms of the prayer made. It is made clear that in the event, the petitioner approaches the Debts Recovery Tribunal, respondent No.1 bank shall be free to oppose the same on all legally sustainable grounds, including the one relating to the limitation.

5. As a sequel to dismissal of the writ petition, W.P.M.P.No.10500 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

29th July, 2016
GHN

