

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 44474 of 2016

ORDER: (*Per VRS,J*)

The petitioner, who is a borrower, has come up with the above writ petition, challenging an e-auction notice issued by the 2nd respondent-Bank.

2. Heard Mr. P. Padma Rao, learned counsel for the petitioner.

3. At the outset, it should be pointed out that the prayer made in the writ petition may not have survived for adjudication at all. The auction notice under challenge in the writ petition is dated 12.12.2014. The date fixed for the auction was 19.01.2015. If the auction had taken place on 19.01.2015, nothing would survive on 20.12.2016 to adjudicate. If the auction was a failure, then the petitioner would have no cause of action to challenge the same. We do not know how the auction sale notice, which was issued two years ago in respect of the auction which was supposed to be held one year and 11 months ago, is challenged at this distance of time. Therefore, the Writ Petition is dismissed.

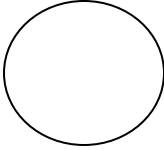
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

20th December, 2016
cbs





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Writ Petition No. 44474 of 2016
(dismissed)

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