

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.18265 of 2016

12.09.2016

Between:

Smt.Ch.Padmavathi

..Petitioner

And

The State Bank of India, represented by its Authorised Officer,
Hyderabad and others

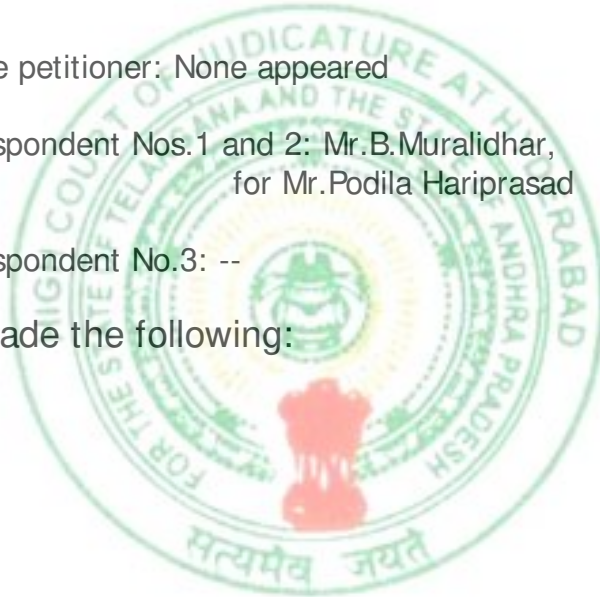
..Respondents

Counsel for the petitioner: None appeared

Counsel for respondent Nos.1 and 2: Mr.B.Muralidhar,
for Mr.Podila Hariprasad

Counsel for respondent No.3: --

The Court made the following:



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

This writ petition is filed for a *mandamus* to set aside the sale notice, dated 08.05.2016, issued by respondent No.1.

2. On 16.06.2016, this Court in W.P.M.P.No.23673 of 2016 passed the following interim order:

“Heard Sri V.V.S.S. Kameswara Rao, learned counsel for the petitioner, and Sri B.Muralidhar, learned counsel representing Sri Podila Hari Prasad, learned counsel for the respondent bank.

The respondent bank is permitted to proceed with the auction/sale scheduled to be held tomorrow i.e., 17.06.2016, pursuant to the sale notice dated 10.05.2016, by accepting 25% of the bid amount in the event any sale takes place, but the bank shall not collect the balance amount. However, the said sale shall not be confirmed till 30.07.2016. In the meanwhile, the petitioner shall clear the outstanding dues of the respondent bank. In the event the petitioner fails to do so, the respondent bank would be at liberty to confirm the sale, if any, or proceed further in the matter in accordance with law.

Post on 01.08.2016.”

3. Today, at the hearing, there is no representation for the petitioner. Mr.B.Muralidhar, learned counsel representing Mr.Podila Hari Prasad, learned standing counsel for the State Bank of India appearing for respondent Nos.1 and 2, has submitted that the petitioner failed to comply with the aforementioned conditional interim order, as a result of which, respondent Nos.1 and 2 have taken further steps in pursuance of the sale held, sale certificate was issued and the same was already registered.

4. As the above submissions of the learned standing counsel for respondent Nos.1 and 2 remained uncontroverted, the Writ Petition is dismissed as it does not survive for adjudication on merits.

5. As a sequel to dismissal of the writ petition, W.P.M.P.No.22439 of 2016 filed by the petitioner for interim relief shall stand disposed of.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

12th September, 2016
GHN

