

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

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.42388 of 2015

Date: 22.08.2016

Between:

Sri G. Chinnaiah

.. Petitioner

and

State Bank of India,
Stressed Assets Recovery Branch,
2nd floor, Upstairs of APSRTC Commuter
Amenity Centre, Koti, Hyderabad,
Rep. by its Chief Manager/Authorised Officer,
and others.

.. Respondents

Counsel for the petitioner:

Mrs. T.Dhanalakshmi
For Mr. D. Raghavulu

Counsel for respondent No.1 :

Mr. Podila Hari Prasad

The Court made the following:

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

This writ petition is filed for the following substantive relief:

“For the reasons stated in the accompanying affidavit it is prayed that this Hon'ble Court may be pleased to pass order or orders direction more particularly in the nature of Writ of Mandamus or any other appropriate writ, setting aside E-Auction sale Notice dated 13.11.2015, fixing the auction of the petitioner property on 18.12.2015 by the respondent bank in respect of all that part and parcel of the property Residential House No.26/906, Document No.3401/1983, Proddutur Sub-Res Jurisdiction, Kadapa District, Prodduturu Municipality, Near Rameshwaram Grama Kshetram, Beside west Watertank, ward No.28, Sy.No.362 & 363/2 in acre 0.10 cents extent Prodduturu (M), Kadapa consequently set aside any other proceedings of the respondent No.1 as illegal, arbitrary against the principles of natural justice and unfair and pass such other orders or order to which the petitioners are entitled to be in the interest of justice.”

At the hearing, Mr. Podila Hari Prasad, learned Standing Counsel for respondent No.1-bank, submitted that as no interim order was granted in the writ petition, the respondent-bank has proceeded with the sale, issued sale certificate and registered the same on 04.01.2016 in favour of the auction purchaser. He has further submitted that the petitioner has not questioned the sale or issuance and registration of sale certificate.

Having regard to the events that have transpired subsequent to the filing of the writ petition, which remained unchallenged, the cause on which the writ petition is filed has become infructuous. The Writ Petition is dismissed as such.

As a sequel, WPMP.No.54670 of 2015, filed by the petitioner for interim relief stands disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

(G. SHYAM PRASAD, J)

Date: 22.08.2016
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