

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT PETITION No.42063 of 2015

ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

This writ petition is filed with the prayer, which reads as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent authorities in not issuing any notice under Section 6 (2) or 8 (6) of SARFAESI Act is illegal, arbitrary and unconstitutional and pass such other order or orders may deem fit and proper in the circumstances of the case.”

After initiating measures under the SARFAESI Act, the 1st respondent Bank issued e-auction notice, dated 23.11.2015, fixing the date of auction as 30.12.2015.

When the matter is called for hearing, Sri P.Gangaiah Naidu, learned Senior Counsel appearing for the petitioners, submitted that on 30.12.2015, no auction was conducted for want of bidders.

Since auction was not conducted on 30.12.2015 pursuant to e-auction notice, dated 23.11.2015, nothing survives for adjudication in this writ petition. However, if any fresh notice is issued, it is always open to the petitioners to

challenge the same, but no relief as sought for can be granted in the present writ petition.

Accordingly, the writ petition is closed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

07.01.2016
v v