

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION No.25274 of 2016

Date:29.7.2016

Between:

M/s Brook Fields and Resorts
Pvt Ltd., formerly M/s Agrigold Infra
Developers Pvt Ltd., repled by its Director-
S.V.Subba Rao Peddibotla

.....Petitioner

And:

The Indian Bank, Vijayawada,
Repled., by its Chief Manager
and another.

....Respondents

Counsel for the petitioner: Mr. K.Chidambaram

Counsel for Respondent No.1: Mr. Ambadipudi
Satyanarayana

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:

“...issue a writ of *Mandamus* or any other
appropriate writ, order or direction declaring the
sale notice E auction Dt.01-07-2016 by proposing
to sell the building bearing D.No.28-10-11 & 12,
Plot No.29, Block No. 47 of Allipuram Ward,
Konarkplaza, Suryabagh Visakhapatnam consisting
of Ground + 4 Floors situated in an extent of 1114
square yards as illegal, arbitrary and contrary to
the orders being issued by this Hon'ble Court in PIL
No.193/2015.”

After arguing the case and on instructions,

Mr. K.Chidambaram, the learned counsel for the petitioner, requested for permission of the Court to withdraw the Writ Petition with liberty to his client to avail the remedy under Section-17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

In view of the said request, the Writ Petition is dismissed as withdrawn with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the Writ Petition, WPMP.No.31202 of 2016 filed by the petitioner for interim relief is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*29th July 2016
DR*