

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

WRIT PETITION NO.23277 OF 2016

DATED:12-09-2016

Between:

Sri Bhupatiraju Ravichandra Varma ... Petitioner

And

Union of India
Rep. by the Principal Secretary
Finance Department
New Delhi
and others ... Respondents

COUNSEL FOR THE PETITIONER: Ch. Ravi Kumar,
for Mr. T.S. Praveen Kumar

COUNSEL FOR RESPONDENT NO.1: Sri B. Narayana Reddy,
Assistant Solicitor General

COUNSEL FOR RESPONDENT NO.2: -



THE COURT MADE THE FOLLOWING:

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

This writ petition is filed for the following relief:

"...to issue a Writ, order or direction in the nature of Mandamus or otherwise declaring the action of the Respondent Bank as highhanded, illegal, against the principles of natural justice and consequently set aside the notices under Sec. 13(2) dated 22-12-2016 and Notice under Sec. 13(4) dated 12-4-2016 of the SARFAESI Act, and the 'Tender Notice Public Notice for Auction Sale of Properties' published by the Respondent Bank in the Indian Express Newspaper dated 15-6-2016 to the extent of the petitioner's property bearing plot No.299 in HUDA approved Lay out in file No. 6035/ MP2/ HUDA/98 dated 3-9-1998 totally admeasuring 498.17 sq. yards or 416.47 sq. meters in Sy.No.342/2 'AERO NAGAR' situated at Block 33 of Gajularamaram Village, under G.H.M.C. Circle and Mandal and Sub District Qutbullapur, Ranga Reddy District, i.e. item No.3 in the above Auction Notice."

At the hearing, Mr. Ch. Ravi Kumar, learned counsel representing Mr. T.S. Praveen Kumar, learned counsel for the petitioner, submitted that respondent No.2 has not held sale in pursuance of the impugned auction notice and that his client has approached the said respondent and paid certain amounts. He has therefore requested for permission of the Court to withdraw the writ petition with liberty to his client to pursue with respondent No.2.

The writ petition is accordingly dismissed as withdrawn with liberty to the petitioner in terms of the prayer made.

As a sequel to dismissal of the writ petition, W.P.M.P. No.28666 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

G. SHYAM PRASAD, J

12-09-2016
bnr

