

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

WRIT PETITION No.40191 of 2015

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ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The prayer of the petitioner in this case is as under:

“This Hon'ble Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Bank in putting up the scheduled property H.No.13-20-26/1, situated at Kodandaram Nagar, Gaddiannaram (V) & Panchayat, Saroor Nagar (M), Ranga Reddy District for auction on 16.12.2015 without giving any notice i.e. under Rule 8 of the Act to the petitioner as illegal, arbitrary, highhanded and violative of Articles 14 and 19 of the Constitution of India and against natural justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The grievance of the petitioner was in relation to the e-auction sale notice dated 04.11.2015.

This Court granted interim stay on 14.12.2015 on the condition that the petitioner would deposit a sum of Rs.3,00,000/- within six weeks from that day. On 07.06.2016, the extension petition filed by the petitioner seeking further time to comply with the afore-stated conditional order was dismissed and the respondent bank was given liberty to proceed in the matter in accordance with law.

We are now informed that the sale did not materialise pursuant to the notice dated 04.11.2015 as there were no bidders. In that view of the matter, the cause in this writ petition does not survive for consideration on merits.

The writ petition is accordingly dismissed leaving all issues open. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

Date:21.06.2016

GJ/PGS