

The Hon'ble Sri Justice C.V.Nagarjuna Reddy
and

The Hon'ble Sri Justice G.Shyam Prasad

–
Writ Petition No.16845 of 2016

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Date: 16.08.2016

Between:

M/s.Yanam Woven Sacks (P) Ltd.,
rep. by its Director Mr.BVR.Chowdary

..Petitioner

and

Union Bank of India
Asset Recovery Branch
rep. by its Authorised Officer
Hyderabad

..Respondent

**Counsel for the Petitioner: Mr.M.Sapthagiri for
Mr.KB.Ramanna Dora**

The Court made the following:

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

This Writ Petition is filed for the following
substantive relief:

“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 initiating recovery proceedings under the Securitization Act in respect of our vacant residential sites Plot No.24 situated at Sy.No.7/1, 361/87 at Bommuru Village, Rajahmundry, East Godavari District, Andhra Pradesh, Plot No. 5 in Sy.No. 343/2, 344/2, and 344/3 at Katheru Konthamuru Road Village, Rajahmundry, E.G. District A.P. including Sale Notice dated 28.04.2016 fixing the auction on 01.06.2016, pending finalization of OTS proposal and SA No.427/2013 on the file of Debts Recovery Tribunal at Hyderabad as illegal, unsustainable, motivated, deliberate, intentional, high handed arbitrary, wholly unconstitutional, as well as against Law and the Principles of Natural Justice”

At the hearing Mr.M.Sapthagiri, learned Counsel representing Mr.K.B.Ramanna Dora, learned Counsel for the petitioner, submitted that as the petitioner failed to comply with interim order, dated 26-05-2016, the respondent has issued auction notice during the pendency of this Writ Petition. He has further submitted that in view of this fresh cause, his client may be

permitted to withdraw this Writ Petition with liberty to file a fresh one.

In the light of the above submission of the learned Counsel for the petitioner, the Writ Petition is dismissed as withdrawn with liberty to the petitioner in terms of the prayer made.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.Nos.20734 and 28010 of 2016 are disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

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(G.Shyam Prasad, J)

Dt: 16th August, 2016
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