

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE G. SHYAM PRASAD

Writ Petition Nos.36005 of 2016 & 35192 of 2016

COMMON ORDER: (per V. Ramasubramanian, J.)

The petitioner, who was the borrower, came up with the first writ petition, challenging an auction notice dated 22-09-2016. At the time when the writ petition came up for admission, the learned counsel for the bank appeared and submitted that the petitioner moved an application for stay in a pending appeal before the Debts Recovery Tribunal and that the stay petition was rejected by the Tribunal on 08-09-2016.

2. Therefore, the learned counsel took adjournment and the petitioner came up with the second writ petition challenging the order of the Debts Recovery Tribunal, dated 08-09-2016 in I.A.No.485 of 2016.

3. We have heard Mr. Raja Reddy Koneti, learned counsel for the petitioner and Mr. B.S. Prasad, learned counsel for the respondent-bank.

4. Admittedly, an appeal in S.A.No.196 of 2016, filed against the proposed auction, is pending before the Debts Recovery Tribunal. The first application for stay of the auction in I.A.No.485 of 2016 was dismissed on 08-09-2016. Without even disclosing the same, the first writ petition was filed. Therefore, the petitioner is not entitled to any relief at the hands of this Court. It appears that there is one more application pending for stay filed before the Tribunal.

Therefore, the writ petitions cannot be entertained. Hence, they are dismissed.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition shall stand closed. No costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

Date: 26-10-2016

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