

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

REVIEW W.P.M.P.No.27428 of 2016
in
W.P.No.41357 of 2015

ORDER: (per Justice Sanjay Kumar)

This petition is filed seeking review of the order dated 11.04.2016 passed by a Division Bench of this Court comprising Hon'ble Sri Justice Nooty Ramamohana Rao and one of us (Hon'ble Dr. Justice B. Siva Sankara Rao) in W.P.No.41357 of 2015.

Having heard the learned counsel on either side, the review is granted and the matter is taken up for hearing.

By the order under review, this Court allowed the aforestated writ petition setting aside the sale conducted by the Indian Bank, by relying upon the judgment rendered by it on the same day in W.P.No.39735 of 2015 (Amarender Reddy v. Canara Bank).

It is now brought to our notice that the said judgment was reversed by the Supreme Court in Canara Bank v. Amarender Reddy¹.

In that view of the matter, the basic premise on which the present writ petition was allowed is rendered nugatory.

The order dated 11.04.2016 in W.P.No.41357 of 2015 is therefore set aside and the writ petition is dismissed.

The review petition is accordingly allowed. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

1st September, 2017
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¹ (2017) 4 SCC 735