

THE HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No. 3873 OF 2007

ORDER:

This Writ Petition is filed questioning the auction conducted on 06.02.2007 by the 1st respondent auctioning the house of the petitioner admeasuring in an extent of 242 sq. yards situated in D.No.1467/4, Block No.1, Christian Locality, Letherpeta, Cherukupalli Village and Mandal, Guntur District.

The brief facts of the case, according to the petitioner, are that the petitioner is an agriculturist and obtained Cooperative Loan for housing under an Account No.0003/24204 for a sum of Rs.60,000/- and that the petitioner paid some installments and could not pay the balance installments. Respondents issued sale notice on 21.12.2006 proposing to sell the house of the petitioner and auction was conducted on 6.2.2007.

On 1.3.2007, notice before admission was ordered and stay of all further steps was granted on condition that the petitioner deposits the entire amount due, within a period of two weeks from that date.

W.V.M.P.No.2839 of 2009 is filed by the respondents seeking vacation of the stay. As the petitioner did not comply the condition stipulated in the interim order dated 1.3.2007, the stay was vacated by this Court on 21.4.2010.

Today, when the matter was called, learned counsel for the respondents submitted basing on the written instructions dated 2.11.2007 which are placed on record that after interim order has been vacated the petitioner has paid the entire amount due to the respondents and the loan account of the petitioner was also closed

on 2.11.2012 and the documents were also returned to the society on 5.11.2012. In that view of the matter, no further orders are required to be passed in the writ petition and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Date:16.11.2017
Gk



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