

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD
WRIT PETITION No. 26215 of 2015

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

This writ petition was filed assailing the e-auction sale notice dated 01.07.2015 published by the State Bank of India in the newspapers proposing to hold the auction on 19.08.2015.

A conditional interim order was granted on 18.08.2015 requiring the petitioner to pay a sum of Rs.8.00 Crores in two instalments, the first instalment of Rs.4.00 Crores payable within 14 days and the balance Rs.4.00 Crores payable within four weeks. The Bank was given liberty to take fresh steps to notify the auction in the event of default by the petitioner.

It is admitted by Sri S. Rahul Reddy, learned counsel for the petitioner, that the aforestated conditional order has not been complied with.

Sri Maruthi Jadav, learned counsel representing Sri B.S. Prasad, learned standing counsel for the State Bank of India, would inform us that the auction sale held on 19.08.2015 did not materialise in an actual sale for want of bidders.

That being so, the challenge in this writ petition to the e-auction sale notice is rendered purely academic and does not warrant consideration on merits.

The writ petition is accordingly dismissed on this short ground leaving all issues open. The petitioner is at liberty to avail appropriate remedies in accordance with law, if and as and when a fresh cause of action arises.

Pending Miscellaneous Petitions shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

Date: 27.06.2017

JUSTICE GUDI SEVA SHYAM PRASAD

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