

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

WRIT PETITION No.45400 of 2016

ORDER: (per SK,J)

This writ petition was filed assailing the e-auction sale notice dated 01.12.2016 issued by the State Bank of Travancore proposing to hold the auction of the secured asset on 05.01.2017.

By order dated 26.12.2016, this Court granted interim stay of all further proceedings pursuant to the impugned e-auction sale notice subject to the petitioner depositing the overdue amount in two equated monthly instalments within four weeks from that day.

Sri Harsha Vardhan Goud, learned counsel representing Sri Nageswara Rao Pujari, learned counsel for the petitioner, would fairly concede that the aforestated conditional order was not complied with by his client.

However, by virtue of the interim order granted by this Court, the e-auction sale notice dated 01.12.2016 came to naught as the sale proposed to be held thereunder on 05.01.2017 was stayed by this Court. The challenge in this writ petition to the said notice is therefore 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 when a fresh cause of action arises.

Interim order dated 26.12.2016 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE GUDI SEVA SHYAM PRASAD

Date:24.07.2017

GJ