

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M. GANGA RAO**

WRIT PETITION No.32441 OF 2017

ORDER: (Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan)

The action of the respondents, in publishing an e-auction notice dated 23.08.2017, is questioned in this writ petition as being contrary to Rule 8(6) of the Security Interest (Enforcement) Rules, 2002.

Sri B.S. Prasad, learned Standing Counsel for the respondent bank, on instructions, states that, since the bank has formulated a One Time Settlement Scheme and has informed the borrower that he was entitled to seek One Time Settlement, the auction scheduled to be held, pursuant to the e-auction notice, was not held.

Sri O. Manohar Reddy, learned counsel for the petitioners, would submit that it would suffice if the writ petition is closed recording the submission of the learned Standing Counsel that no auction has been held pursuant to the subject e-auction notice.

Recording the submission of Sri B.S. Prasad, learned Standing Counsel, that no auction was held pursuant to the impugned e-auction notice, the cause in the writ petition does not survive necessitating any further adjudication by this Court. The writ petition has become infructuous and is, accordingly, dismissed.

Miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

RAMESH RANGANATHAN, ACJ

3rd OCTOBER, 2017.

M. GANGA RAO, J

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