

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

WRIT PETITION No.10042 of 2017

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

This Writ Petition was filed assailing the action of the Allahabad Bank in seeking to dispossess the petitioner from the premises which are allegedly in its possession in the capacity of a tenant, pursuant to the sale notice dated 07.02.2017.

2. Despite service of notice, Allahabad Bank, the 2nd respondent, did not choose to enter appearance before this Court.

3. It is now represented by Sri Ramesh, learned counsel representing Sri Kishore Rai, learned counsel for the petitioner, that the sale proposed to be held pursuant to the sale notice dated 07.02.2017 did not materialise.

4. If that is so, the apprehension of the petitioner that it would be dispossessed pursuant to the said sale notice is set at naught. This Court is therefore not inclined to adjudicate the right of the petitioner to continue in possession in the alleged status of a tenant in this writ petition.

5. Leaving all issues open, the Writ Petition is dismissed. Petitioner is at liberty to invoke appropriate remedies in accordance with law as and when a fresh cause of action arises.

Miscellaneous Petitions, if any, pending in this writ petition shall also stand dismissed. There shall be no order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE GUDI SEVA SHYAM PRASAD

Date: 04.07.2017
INL

