

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD
WRIT PETITION No. 26769 of 2015

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

This writ petition was filed challenging the e-auction sale notice dated 29.07.2015 whereby the auction was scheduled to be held on 07.09.2015 in respect of the property of the petitioner which was offered as a guarantee for the loan advanced by the respondent Bank to the principal borrower.

By interim order dated 04.09.2015, this Court permitted the respondent Bank to proceed with the auction scheduled to be held on 07.09.2015 but directed it not to issue Sale Certificate subject to the condition that the petitioner deposits a sum of Rs.1,00,00,000/- within 10 days.

On 18.09.2015, the learned standing counsel for the respondent Bank informed this Court that the petitioner had complied with the conditional order dated 04.09.2015.

Sri V.V. Ramana, learned counsel representing Sri N.V. Subba Raju, learned standing counsel for the respondent Bank, states, on instructions, that the sale held on 07.09.2015 came to naught for want of bidders.

That being so, as the challenge in this writ petition is directed only against the e-auction sale notice dated 29.07.2015, which did not materialise in an actual sale, the cause in this writ petition has become purely academic.

The writ petition is accordingly dismissed as infructuous leaving it open to the petitioner to invoke appropriate remedies available to her in law as and when a fresh cause of action arises. The amount deposited by the petitioner pursuant to the interim order dated 04.09.2015 shall be given due credit and appropriated to the loan account.

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

JUSTICE SANJAY KUMAR

Date: 12.06.2017

JUSTICE GUDI SEVA SHYAM PRASAD

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