

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

WRIT PETITION NO.8602 OF 2017

O R D E R

(Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed assailing the docket order dated 27.02.2017 passed by the Debts Recovery Tribunal, Hyderabad, in S.A.No.1047 of 2017. By the said order, the Tribunal granted interim stay of the auction sale of the secured asset proposed to be held by the State Bank of Hyderabad on 28.02.2017 pursuant to the e-auction notice dated 23.01.2017 subject to the petitioners depositing 40% of the total outstanding dues in two equal instalments. The first such instalment of 20% was to be deposited on or before the time and date of the auction, i.e., by 11.00 AM on 28.02.2017 and the second instalment of 20% was to be deposited within two weeks thereafter. Assailing the conditions imposed, the petitioners came before this Court.

It is represented by Sri A.Krishnam Raju, learned counsel for the State Bank of Hyderabad, that the auction scheduled to be held on 28.02.2017 pursuant to the e-auction notice dated 23.01.2017 did not materialize for want of bidders.

That being so, challenge by the petitioners to the conditions imposed by the Debts Recovery Tribunal, Hyderabad, and challenge to the e-auction notice dated 23.01.2017 are rendered purely academic and do not warrant consideration on merits.

The writ petition is dismissed on this short ground. The petitioners are at liberty to avail appropriate remedies in accordance with law as and when fresh cause of action arises. Pending

miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

GUDISEVA SHYAM PRASAD, J

10th JULY, 2017

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