

**HON'BLE SRI JUSTICE SANJAY KUMAR  
AND  
THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

**CONTEMPT CASE NO.395 OF 2016**

**ORDER**

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

This contempt case was instituted alleging willful disobedience to the order dated 17.02.2016 passed by this Court in W.P.No.3963 of 2016. By the said order, this Court permitted the petitioner herein to deposit the entire outstanding loan amount before confirmation of the sale in favour of the highest bidder and in the event he did so, the respondent bank was left free to exercise necessary discretion in favour of the petitioner by not confirming the said sale.

The Chief Manager, State Bank of India, filed a counter-affidavit stating that pursuant to the aforestated order, the petitioner discharged the loan liability in relation to the subject loan and the auction held on 17.02.2016 was accordingly cancelled. He further stated that the same was intimated to the petitioner under the letter dated 04.04.2016 and the petitioner himself came to the bank and took custody of the keys.

No reply affidavit was filed by the petitioner in relation to the aforestated counter averments.

However, Sri Subhash, learned counsel representing Sri Butta Vijaya Bhaskar, learned counsel for the petitioner, would assert before this Court that the property documents were not returned by the bank.

This aspect does not fall for consideration in this contempt case as there was no direction by this Court with regard to the return of these documents. In the event the petitioner has any grievance, it

is left open to him to pursue his remedies before the appropriate forum in accordance with law.

Subject to the above observation, the contempt case is dismissed. No order as to costs.

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**SANJAY KUMAR, J**

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**DR. B.SIVA SANKARA RAO, J**

**17<sup>th</sup> FEBRUARY, 2017**

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