

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

Writ Petition No.5458 of 2017

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

The action of the 2nd respondent in conducting e-auction, including the property of the petitioners situated at Airport Enclave at Penjarla Village, Kothur Mandal, Mahaboobnagar District, is questioned in this writ petition as being illegal and arbitrary.

Ms. P.V.Aruna Kumari, learned counsel for the respondent-bank, would submit that there were no bidders in the auction held on 16.02.2017 and, consequently, the cause in the writ petition does not survive.

Sri G.Vasantharayudu, learned counsel for the petitioners, would, however, contend that it is always open to the bank to issue an e-auction notification afresh including the subject property.

What action the bank may take in future, and whether it would include the subject property in an e-auction notice to be issued afresh, are all matters which are, as on date, academic. The cause in the writ petition does not survive and the writ petition has become infructuous.

Leaving it open to the petitioners to question the action of the respondent-bank, as and when a fresh e-auction notice is issued, the Writ Petition is dismissed as infructuous. Miscellaneous Petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

08th March, 2017
JSU

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Date: 08.03.2017

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