

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

WRIT PETITION No.39769 of 2015

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

This writ petition was filed assailing the e-auction notice dated 03.11.2015, whereunder the State Bank of India proposed to hold the auction of the secured asset on 14.12.2015.

2. By order dated 09.12.2015, this Court took note of the petitioners claim that they had purchased the plots in question under registered sale deeds dating back to the years 1986 to 1989 and accordingly granted interim stay of all further proceedings pursuant to the e-auction notice dated 03.11.2015, including confirmation of the sale.

3. It is now brought to our notice by Sri M.Jadhav, learned counsel representing Sri B.S. Prasad, learned Standing Counsel for the State Bank of India, that the proposed auction on 14.12.2015 did not materialise in an actual sale for want of bidders.

4. That being so, the e-auction sale notice dated 03.11.2015 worked itself out and the petitioners' challenge thereto need not trouble us further.

5. That apart, the petitioners stated in para 19 of the affidavit filed in the support of the writ petition that the reason they approached this Court was that the Debts Recovery Tribunal-II, Hyderabad, was not in a position to take up their pending

application. We are now informed that the Debts Recovery Tribunal-II, Hyderabad, is functioning normally, as a regular Presiding Officer has been appointed. It would therefore be open to the petitioners to pursue their pending application before the said Tribunal which seems to have been filed with a delay of 9 days.

6. Subject to the aforestated observation, the writ petition is dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

GUDISEVA SHYAM PRASAD, J

Date: 13.06.2017.
TJMR

