

THE HON'BLE SRI JUSTICE SANJAY KUMAR
and
THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No.39687 of 2017

ORDER: (per SK, J)

The prayer in this writ petition reads as under:

“It is therefore prayed that this Hon’ble Court may be pleased to issue a Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 1st respondent in reducing the reserve price to Rs.7,53,00,000/- from Rs.8,86,00,000/- fixed in the earlier auction notices dt.27.06.2017 and 19.08.2017 and issuing e-auction sale notice dt. 03.11.2017 published in The New Indian Express Daily News Paper fixing the date of auction to 27.11.2017 as without any basis, mala fide, illegal, arbitrary, violation of principles of natural justice, violative of Articles 12, 14 and 300-A of Constitution of India and contrary to the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and the rules made under the Security Interest (Enforcement) Rules, 2002 and consequently set aside the e-auction sale notice dt 03.11.2017 published in The New Indian Express Daily News Paper fixing the date of auction to 27.11.2017 and pass such other order or orders which are deem fit and proper in the circumstances of the case.”

By order dated 23.11.2017, this Court directed that the sale proposed to be held on 27.11.2017 shall be subject to further orders. While so, Sri Maruthi Jadav, learned counsel representing Sri B.S. Prasad, learned counsel for State Bank of India, would inform this Court that the sale scheduled to be held on 27.11.2017 failed for want of bidders.

In that view of the matter, challenge in this writ petition to the reserve price fixed in relation to the said sale is rendered purely academic and does not warrant consideration on merits.

The writ petition is accordingly dismissed on this short ground leaving all issues open.

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

14th DECEMBER, 2017.

SANJAY KUMAR, J

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MS. J. UMA DEVI, J

