

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.11857 of 2015

ORDER:

This Writ Petition is filed challenging public auction notice dated 16.04.2015.

By order dated 22.04.2015, this Court, while granting interim stay of auction proposed to be held on 22/23.04.2015, imposed the condition that the petitioner should deposit 1/4th of the amount under each of the Execution Petitions within a period of eight weeks from the date of receipt of a copy of the order.

Praying to vacate the said order, WVMP.No.2761 of 2015 is filed by respondent No.2 – Bank.

When the matter is taken up for consideration, learned Counsel representing respondent No.2 – Bank submits that, the impugned auction notice was issued pursuant to orders in E.P.Nos.13 to 17 of 2014. Pursuant to the order of this Court, in W.P.No.16778 of 2011 and batch dated 03.12.2015, E.P.Nos.6 to 10 of 2009 are restored. Consequently, E.P.Nos.13 to 17 of 2014 were dismissed as not pressed vide order dated 03.05.2017 of Divisional Cooperative Officer, Adoni. Therefore, respondent No.2 – Bank do not intend to pursue the present auction notice. The said statement is recorded.

In view of the subsequent developments, no further orders are necessary to be passed in the writ petition. However, it is open for respondent No.2 – Bank as well as the petitioner to prosecute the pending E.Ps.

The Writ Petition is, accordingly, disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

P.NAVEEN RAO, J

Date: 05.03.2018
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