

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No. 2952 of 2018

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

This writ petition was filed by the applicant in S.A.No.27 of 2018 on the file of the Debts Recovery Tribunal-II, Hyderabad, aggrieved by the order dated 30.01.2018 passed by the said Tribunal in I.A.No.291 of 2018 filed therein. The said I.A. was filed by the petitioner/applicant seeking stay of all further proceedings including auction sale of the petition schedule property proposed to be held by the State Bank of India on 31.01.2018 pursuant to the e-auction notice dated 08.01.2018. By the order under challenge, the Tribunal granted interim stay subject to certain conditions. Aggrieved by the conditions imposed, the petitioner came before this Court.

By order dated 02.02.2018, this Court granted interim stay of all further proceedings including receipt of the balance sale consideration from the auction purchaser, if any, in the auction sale held on 31.01.2018 on the strength of the e-auction notice dated 08.01.2018.

While so, Sri Maruthi Jadhav, learned counsel representing Sri B.S. Prasad, learned counsel for the State Bank of India, would inform this Court that the auction purchaser, who was the successful bidder in the auction held on 31.01.2018, withdrew his bid thereafter and the auction sale itself was cancelled.

In that view of the matter, the grievance of the petitioner in relation to the conditions imposed by the Tribunal for granting stay of the subject auction no longer survives for consideration on merits. As the only issue raised in this writ petition was in the context of the aforestated conditional order passed by the Tribunal in relation to the auction sale scheduled to be held on 31.01.2018, which has now come to naught owing to the later developments, this writ petition also deserves no consideration on merits.

The writ petition is closed leaving all issues open to be addressed by the petitioner in the pending Securitisation Application.

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

Date: 14.06.2018



JUSTICE SANJAY KUMAR

JUSTICE T. AMARNATH GOUD

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