

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.3072 of 2018

ORDER: (per SK,J)

The prayer of the petitioners in this case reads as under:

‘For the reasons stated in the accompanying affidavit, it is 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 2nd and 3rd respondents bank in not furnishing the details of the highest bid amount by the successful bidders i.e., respondents 4 and 5 in connection with participation of auction on 15.11.2017 relates to the petitioners mortgaged properties morefully described and shown in SA No. 375/2017 in IA.No.1679 2017 and 1718/2017 either before the disposal of the SA or after the disposal of SA by the Debt Recovery Tribunal, Visakhapatnam in spite of demands made by the petitioners is illegal and void and opposed to Articles, 14, 19, 21 and 300-A of the Constitution of India thereby curtailing and forfeiting the rights to deposit the entire amount a directed/ordered by the DRT, Visakhapatnam in SA No. 375/2017 dated 05.01.2018 by invoking Section 13 (8) of SARFAESI Act and consequently to direct the respondents no.2 and 3 to inform the actual total amount is to be paid by the petitioners personally or to the court by complying the orders in SA No.375/2017 and to pass such other order or orders that the Hon’ble Court may deem fit and proper in the interest of justice.’

Sri Mummaneni Srinivasa Rao, learned counsel for the petitioners, informed this Court that pursuant to the order dated 05.01.2018 passed by the Debts Recovery Tribunal, Visakhapatnam, in S.A.No.375 of 2017, his clients are required to make certain deposits within a time frame from the date of the said order but, as the bank was not forthcoming with the details of the amount to be deposited, his clients were constrained to file this writ petition.

Taking note of the aforestated grievance, Smt.V.Dyumani, learned counsel for the Bank of India, was asked to get instructions as to why the bank was not furnishing the information sought by the petitioners.

Today, Smt.V.Dyumani, learned counsel, placed on record certain documents setting out the details sought by the petitioners. Copies of the

same were also furnished to Sri Mummaneni Srinivasa Rao, learned counsel.

In the light of this development, the grievance of the petitioners stands settled.

The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR,J

P.KESHAVA RAO,J

Date:02.02.2018

GJ

