

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

WRIT PETITION No. 4453 of 2018

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

The petitioner is aggrieved by the order dated 16.01.2018 passed by the Debts Recovery Tribunal-II, Hyderabad, in I.A.No.139 of 2018 in S.A.No.1412 of 2017, whereby he was required to deposit 50% of the outstanding dues as mentioned in the e-auction sale notice dated 07.12.2017 in two equal instalments - the first instalment of 25% to be deposited within one week from the date of the order and the second instalment of 25% within two weeks thereafter. This was the condition subject to which the Tribunal directed the Bank of Baroda, the respondent therein, not to register the sale certificate in favour of the highest bidder in the auction. Complaining that the time granted by the Tribunal was insufficient, the petitioner came before this Court.

However, as the Bank was not represented by a standing counsel, notice was ordered on 12.02.2018.

Today, Sri M. Santhosh, learned counsel representing Sri G. Thirupathi Reddy, learned counsel for the Bank of Baroda, would inform this Court that the sale that was held on 17.01.2018 concluded with registration of the sale certificate in favour of the successful auction purchaser. A copy of the registered sale certificate was also handed over to Smt. V. Dyumani, learned counsel for the petitioner.

In the light of this development, the cause in this writ petition with regard to the impugned order dated 16.01.2018 passed by the Tribunal no longer survives for adjudication on merits. It is however open to the petitioner to take necessary steps in the pending S.A.No.1412 of 2017 or

file a fresh Securitisation Application, if he so desires, in relation to such later developments.

Subject to the above observations, the writ petition is dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTI CE SANJAY KUMAR

Date: 12.03.2018

JUSTI CE D.V.S.S.SOMAYAJULU

va

