

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.25352 OF 2008

ORDER:

This writ petition is filed by the petitioner seeking a writ in the nature of Mandamus declaring the action of respondent bank in issuing notice under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) and issuing Possession Notice in respect of the immovable property belonging to the petitioner is illegal and without jurisdiction and to pass necessary orders.

2. When the matter came up for hearing, learned counsel for respondent Smt.Kalpana Ekbote, on instructions, would submit that on payment of the loan amount, the loan account of the petitioner was closed by the bank way back in 2011 and in that view, the cause in the writ petition does not survive. Learned counsel for petitioner has not obtained any instructions from his client.

3. In view of the above circumstances and having regard to the submission of learned counsel for respondent, this writ petition is dismissed as infructuous. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J

24.08.2018
SS