

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

WRIT PETITION No.12072 of 2018

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

The prayer of the petitioner-company in this case reads as under:-

“The Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the Proclamation of Sale-cum-e-Auction Sale Notice dated 28.02.2018 and Auction Sale scheduled to be fixed on 12.04.2018 issued by respondent No.1, vide RPN0.14/2009 in OA.No.9/2006 as illegal, arbitrary, disproportionately lower to the value fixed by the Government as per the Market Value Assistance Document issued by Sub-Registrar, Pithapuram, East Godavari District and consequently, to direct respondent No.1 to issue a revised Proclamation of Sale-cum-e-Auction Sale Notice by taking into account the value in market value assistance documents issued by the Sub-Registrar, Pithapuram, East Godavari District, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

It is however admitted by Ms. V.Uma Devi, learned counsel for the petitioner, and Sri Ch. Shiva Reddy, learned counsel for the Central Bank of India, that the auction sale scheduled to be held on 12.4.2018 pursuant to the impugned auction sale notice dated 28.02.2018 failed for want of bidders.

In that view of the matter, challenge to the impugned auction sale notice is rendered purely academic and does not warrant consideration on merits.

The Writ Petition is accordingly dismissed leaving all issues open.

Pending Miscellaneous Petitions, if any, shall also stand dismissed.

No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE T.AMARNATH GOUD

14th June, 2018
DR