

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

WRIT PETITION NO.18382 of 2018

ORDER: (per SK,J)

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

For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a writ, order or direction, particularly one in the nature of Writ of Mandamus declaring the notice dated 18.5.2018 wherein e-Auction to be held on 5.6.2018 issued by the 1st respondent herein as the same is illegal and arbitrary and consequently set-aside the Notice dated 18.5.2018 issued by the 1st respondent herein by the 1st respondent bank and to pass such other order or orders may deem fit and proper in the circumstances of the case.'

Sri M.Srikanth Reddy, learned counsel for the State Bank of India, would inform this Court that the auction did not materialise pursuant to the impugned auction sale notice on 05.06.2018 for want of bidders. Learned counsel would further state that in the light of the measures adopted by the petitioner under the Insolvency and Bankruptcy Code, 2016, filing of this writ petition amounts to an abuse of process.

We are not inclined to go into that issue as the prayer in this writ petition stands settled by virtue of the fact that the auction sale scheduled to be held on 05.06.2018 failed for want of bidders.

The writ petition is accordingly dismissed on this short ground. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

Date:09.07.2018

PGS

