

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.32106 OF 2018

ORDER

This writ petition is filed for the following relief:

“For a writ of mandamus declaring the act of refusal on the part of the respondent No.3 in registering the sale certificate issued by the petitioner in favour of Mr. M.Sanjay Kumar s/o M.Sathaiah, B2-557, NFC Nagar, Ghatkesar, Medchal District, Hyderabad, as arbitrary, illegal, capricious and violative of principles of natural justice and against the provisions of the SARFAESI Act, 2002 and the rules framed thereunder and consequently direct the respondent No.3 to register the sale certificate.”

Learned Standing Counsel for the petitioner – Bank, learned Assistant Government Pleader for Revenue and Sri P.Durga Prasad, learned counsel for unofficial respondents submit that the *lis* in the present writ petition is squarely covered by the Division Bench order of this court dated 01.05.2018 in W.P.No.22023 of 2017 and the issue is concluded between the petitioner herein and the 5th respondent – M/s Margadarsi Chit Funds Private Limited.

In view of the above submissions and the order of the Division Bench of this court in W.P.No.22023 of 2017 dated 01.05.2018, this writ petition is disposed of directing the 3rd respondent – Sub Registrar, Maredpally, Secunderabad, to register the sale certificate in question.

It is made clear that after adjustment of the entire loan amount, any surplus money remains out of the auction sale proceeds, the petitioner – Bank shall not pay it to the respondents 6 and 7, but shall pay it to the 5th respondent, after notice to respondents 6 and 7.

Interlocutory applications pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:24—10—2018

AVS