

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION No.44154 OF 2017

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

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 pass order or orders direction more particularly in the nature of Writ of Mandamus or any other appropriate writ, order by setting aside the Sale notice dated 21-11-2017 which is to be held on 28-12-2017 declaring the action of the respondent bank in pursuance of the Sale notice dated 21-11-2017 in respect of all that the piece and parcel of land of an extent of Acre 0.25 cents/0.101 hectares i.e., 1210 Sq.yards out of total extent of Ac. 1.00 cents covered by survey No.105/12, situated at Thauuavanipalem Village, Hamlet of Amruthapuram, Sabbavaram Mandal, Visakhapatnam District, consequently set aside any other proceedings of the respondent as illegal, arbitrary against the principles of natural justice and unfair and pass such other orders or order to which the petitioner is entitled to be in the interest of justice.”

Sri T.Vijay Kumar, learned counsel for the petitioner, would fairly state that the auction sale which was scheduled to be held on 28.12.2017 did not materialise for want of bidders.

In that view of the matter, the writ petition does not require to be adjudicated on merits.

The writ petition is accordingly dismissed as infructuous leaving all issues open.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.

SANJAY KUMAR,J

P. KESHA RAO,J

Date:29.01.2018
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