

* IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

* HONOURABLE SRI JUSTICE V.RAMASUBRAMANIAN
AND

* HONOURABLE SRI JUSTICE P. KESHA RAO

+ W.P.No.47222 of 2018

% Date: 31-12-2018

Between:

1. Shabib Hussain Imran, S/o. Qamber Hussain, R/o. H.No.17-6-216, First Floor Sunar Gali, Noor Khan Bazar, Hyderabad, TS.
2. Fatima W/o. Shabib Hussain Imran, R/o. H.No.17-6-216, First Floor, Sunar Galli, Noor Khan Bazar, Hyderabad.

.... Petitioners

And

1. Corporation Bank, rep. by the Managing Director & CEO Corporate Office, Mangaladevi Temple Road, Pandeshwar, Manglore -575 001.
2. Authorized Officer, Corporation Bank, Zonal Office, 5-9-988/18/88/2, First Floor Sapphire Complex, Chapal Road, Hyderabad.
3. Branch Manager, Corporation Bank, Mehdiapatnam Branch, 9-4-84/9, Kakatiyanagar Colony, Hyderabad.

... Respondents

! Counsel for the Petitioner : Mr. Babu Akram

< GIST:

> HEAD NOTE:

? Cases referred

HONOURABLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HONOURABLE SRI JUSTICE P. KESHAHA RAO

W.P.No.47222 of 2018

ORDER: (Per VRS,J)

The petitioners have come up with the above writ petition complaining that without even furnishing a statement of account indicating the correct liability, the Bank is bringing the property to sale under the SARFAESI Act, 2002.

2. Smt. V. Dyumani, learned counsel, who takes notice for the respondent-Bank, handed over a copy of the statement of account up to date, to the learned counsel for the petitioners. Therefore, their first grievance stands redressed.

3. Insofar as the grievance relating to auction is concerned, it is stated that the auction fixed on 29.12.2018 failed. Therefore, leaving it open to the petitioners to work out their remedies with the bank on the basis of the statement of accounts, the writ petition is closed, as the immediate cause of action does not survive. There will be no order as to costs.

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

V. RAMASUBRAMANIAN, J.

P. KESHAHA RAO, J.

31st December, 2018
Js.

HONOURABLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HONOURABLE SRI JUSTICE P. KESHA RAO

W.P.No.47222 of 2018



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