

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

WRIT PETITION No.41683 OF 2017

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

This writ petition was instituted challenging the e-auction notice dated 31.10.2017 issued by the State Bank of India pursuant to which the bank proposed to auction the petitioner's properties on 08.12.2017 for realisation of its dues.

We are now informed by Sri M.Srikanth Reddy, learned counsel for the State Bank of India, that after filing this writ petition, the petitioner approached the Debts Recovery Tribunal, Visakhapatnam, under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, *vide* S.A.No.418 of 2017 and conditional interim protection was also granted by the said Tribunal on 19.12.2017.

In the light of the aforesaid development, we are of the opinion that this writ petition does not deserve to be considered on merits as the petitioner has already invoked the statutory remedy available to him.

The writ petition is accordingly dismissed on this short ground 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:18.01.2018
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