

HONOURABLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.1318 OF 2019

ORDER: *(Per Hon'ble Sri Justice V. Ramasubramanian)*

The petitioners have come up with the above Writ Petition challenging the conditions imposed by the Debts Recovery Tribunal, for the grant of stay of an auction.

2. On 28.01.2019, when the writ petition came up for orders as to admission, we passed the following order:

“Issue notice returnable in two weeks.

Personal notice permitted.

Since the auction was slated to be held on 18.01.2019, the Tribunal passed a conditional order on 09.01.2019 directing the petitioners to pay 10% of the amount within ten days. The period of ten days would have expired by 19.01.2019.

It is not known as to what happened in the auction held on 18.01.2019.

Mr. L. Ravichander, learned Senior counsel pleads for one week time to comply with the first condition.

Therefore, there will be an interim direction to maintain *status quo* as on date, subject to the petitioners complying with the first condition imposed by the Tribunal, namely, paying of first installment of 10%, on or before 04.02.2019.

Post on 05.02.2019 for reporting compliance.”

3. Yesterday when the matter was posted for reporting compliance, the learned counsel for the petitioners sought time to get

instructions. Today the learned counsel for the petitioners submits that there are no instructions.

4. However, Sri B. Harinatha Rao, learned counsel appearing for the bank, submits that the interim conditional order was not complied with. The auction took place on 18.01.2019 and three properties were brought to sale. Out of them, two properties have been sold.

5. In the light of the above, the writ petition is devoid of merits and hence it is dismissed. However, there shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

V. RAMASUBRAMANIAN, J

P. KESHAHA RAO, J

February 06, 2019
Mgr