

THE HONOURABLE SRI JUSTICE SANJAY KUMAR
AND
THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION NO.7629 OF 2019

ORDER

(Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed assailing the auction sale conducted by the Syndicate Bank, Hyderabad, on 22.03.2019 pursuant to the auction sale notice dated 14.02.2019, in so far as it pertained to various extents of land in different sub-divisions of Survey No.19 of Badepally Shivar, Jadcherla Village and Mandal, Mahabubnagar District. The petitioner was one of the bidders who was interested in participating in this e-auction sale and alleges that in spite of his depositing the requisite EMD amount, the bank did not provide him the log in code.

2. The Senior Manager, Recovery Section of the Syndicate Bank, Hyderabad, filed a counter-affidavit stating that the e-auction was conducted by a third party and not by itself. He further stated that the bank's enquiries revealed that the third party concerned captures a digital signature certificate when a bidder successfully attaches his/her digital signature certificate in the web domain. However, in the case of the petitioner, his digital signature certificate had expired and the same could not be attached. In consequence, the petitioner could not participate in the e-auction. The Manager further stated that guidance had been given by the third party to the petitioner also as to how he should log in but he did not abide by the same and failed to participate in the auction due to his own lapse.

3. In the light of the aforestated counter-affidavit averments, which remained un rebutted, we find no error having been committed by the bank, warranting interference by this Court under Article 226 of the Constitution.

4. The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

K. LAKSHMAN, J

30th SEPTEMBER, 2019

Sw

