

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON'BLE SRI JUSTICE P.KESHAHA RAO

WRIT PETITION No.43197 OF 2018

ORDER: (*per V. Ramasubramanian, J*)

The petitioner has come up with the above writ petition challenging a notice issued under Rule 8 (6) of the Security Interest (Enforcement) Rules, 2002 (for short 'Rules, 2002').

2. Heard Sri K. Ramachandra, learned counsel for the petitioner and Sri P.S. Rajasekhar, learned standing counsel appearing for the respondents - Finance Company.

3. On 28.11.2018, this Court passed a conditional order to the following effect:

“The 2nd respondent is an unnecessary party. Therefore, the 2nd respondent is struck off from the array of parties.

Learned counsel for the petitioner shall take personal notices to respondents 1, 3 and 4 returnable by 05.12.2018.

In the meantime, even if the auction takes places, it shall not be confirmed.”

4. Today, it is stated by the learned counsel for the respondents - finance company that there were three bidders in the auction, but all of them withdrew after coming to know of the interim order passed by this Court.

5. Therefore, nothing survives for adjudication in the above writ petition. Hence, it is closed leaving it open to the respondents to proceed afresh. However, there shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending in the Writ Petition stand dismissed.

V. RAMASUBRAMANIAN, J

P. KESHAHA RAO, J

January 28, 2019
Gkv/Mgr