

**HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO
AND
HONOURABLE SRI JUSTICE K.LAKSHMAN**

WRIT PETITION NO.556 OF 2020

ORDER

(Per Honourable Sri Justice M.S.Ramachandra Rao)

This Writ Petition is filed by the petitioner assailing the order dt.30.12.2019 in I.A.No.6211 of 2019 in S.A.No.273 of 2019 refusing to stay the e-auction sale which was scheduled to be held on 30.12.2019 pursuant to the sale notice dt.29.11.2019 issued by the 2nd respondent.

2. The main contention of the counsel for the petitioner is that in the S.A., the petitioner has challenged possession notice dt.12.04.2019 issued by the 2nd respondent on various grounds and that unless the said issue is decided first, the sale cannot be allowed to be proceeded with.

3. It is not in dispute that the impugned e-auction sale notice, whose stay was sought in I.A.No.6211 of 2019, is 4th in the series of e-auction sale notices. Also, the liability of the petitioner is more than Rs.100.00 crore admittedly. It may be that the failure of the earlier e-auction sales was on the ground that there are several claims of title in respect of the subject land, but since the impugned order passed by the Tribunal also ensures that prospective auction purchasers are informed about the pendency of the S.A., which was also one of the contentions raised by the petitioner, no prejudice is caused to anybody since the very auction would be subject to the result of the S.A.

4. Therefore, we see no merit in this Writ Petition and it is accordingly dismissed. No costs. Pending miscellaneous petitions, if any, shall also stand dismissed.

M.S.RAMACHANDRA RAO, J

K. LAKSHMAN, J

9th JANUARY, 2020

Svv

