HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO. 20628 OF 2020

Between:

Smt. Ch. Laxmi, W/o. Ch. Krishnamurthy, aged 40 years, Occ. Business, R/o. H.No.6-153, Vivekananda Chowk, Post and Mandal, Asifabad, Kumram Bheem, Asifabad District-504293 (mobile - 9398008077).

...PETITIONER

AND

1. The Union Bank (erstwhile Andhra Bank), Represented by its Branch Manager, Asifabad, Kumram Bheem Asifabad District - 504293 (08733-279211)
2. M/s. Antares Systems Limited, # 24, Sudha Complex, 3rd Stage, 4th Block, Basaveswaranagar, Bangalore - 560079 (mobile -9686196756).
3. M/s. Sri Sai Ayyappa Agro Oil Mills, Sy/No.230/1, Jankapur Village, Asifabad Mandal, Kumram Bheem Asifabad District - 504293 Represented by its Managing Partner Smt. Papini Bhagyalaxmi W/o. Venkateshwar, aged 44 years, Occ. Business, R/o. 11-116, Shiva Keshava Mandir Road, Post and Mandal Asifabad, Kumram Bheem Asifabad District - 504293 (mobile-8247032219).
4. M/s. Sri Bala Sai Ginning Industries, Sy.No.230/1, 230/2/1, 230/2/2b/1, 230/2/2a, Jankapur Village of Asifabad Mandal, Kumram Bheem Asifabad District - 504293, Represented by its Managing Partner Smt. Papini Bhagyalaxmi, W/o. Venkateshwar, aged 44 years, Occ. Business, R/o. 11-116, Shiva Keshava Mandir Road, Post and Mandal Asifabad, Kumram Bheem Asifabad District-504293 (mobile 824732219).
5. Smt. Papini Bhagyalaxmi, W/o. Venkateshwar, aged 44 years, Occ Business, R/o. 11-116, Shiva Keshava Mandir Road, Post and Mandal Asifabad, Kumram Bheem Asifabad District-504293 (mobile 824732219)
6. Smt. Pathi Alka, W/o. Ravi Kumar, aged about 40 years, Occ. Business, R/o. H.No.6-154, Vivekananda Chowk, Post and Mandal Asifabad, Kumram Bheem Asifabad District - 504293, (mobile- 8790564543),
7. Smt. P Kalyani, W/o. Mahesh, aged about 41 years, Occ. Business, R/o. H.No.16-102, Main Road, Chennur Post and Mandal, Mancherial District - 504201 (mobile- 9059920555).

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an Order or direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of respondents proposing to conduct public auction of Respondent firms vide Sale notice dated 16/10/2020 issued under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 read with proviso to Rule 8 (6) of the Security Interests (Enforcement) Rules 2002 as illegal, arbitrary and against the provisions of rules and also against the principles of natural justice and consequently set aside the sale notices dated 16/10/2020 issued by the Respondent No.1 issued under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 read with proviso to Rule 8 (6) of the Security Interests (Enforcement) Rules 2002 proposed to sale of properties of Respondent No.3 and 4.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings under Sale notice dated 16/10/2020 issued by the Respondent No.1 issued under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 read with proviso to Rule 8 (6) of the Security Interests (Enforcement) Rules 2002 pending to proposed sale of properties of Respondent No.3 and 4 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI BHANU MURTHY BALA

Counsel for the Respondent No.1: SRI NAMAVARAPU RAJESHWAR RAO, ASSISTANT SOLICITOR GENERAL

Counsel for the Respondent Nos.2 to 7: --

The Court made the following: ORDER

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No. 20628 OF 2020

ORDER: *(per Hon'ble Sri Justice A.Rajasheker Reddy)*

Learned counsel for the petitioner submits that the cause in the Writ Petition does not survive for consideration, as such, no further orders are required to be passed.

Recording the submission of the learned counsel for the petitioner, this Writ Petition is dismissed as infructuous.

There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any, pending in the Writ Petition, shall stand closed.

SD/- K.ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,
1. One CC to Sri Bhanu Murthy Bala, Advocate [OPUC]
2. One CC to Sri Namavarapu Rajeshwar Rao, Assistant Solicitor General (OPUC)
3. Two CD Copies.

MP

HIGH COURT

DATED:17/12/2020



ORDER

WP.No.20628 of 2020

DISMISSING THE WRIT PETITION
AS INFRUCTUOUS
WITHOUT COSTS

(4) VLV
26/12/20