HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY ,THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO
AND
THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO: 23307 OF 2020

Between:

Mr. Shaik Latheef., S/o. Abdul Gani, Age. 45 Years, Occ. Advocate, R/o. Plot No-307, IInd Floor, AVN Powers, Huzurnagar Town and Mandal Suryapet District.

...PETITIONER

AND

1. The State Bank of India, Stressed Assets Recovery Branch (SARB-II) Rep. by its Authorized officer Stressed Assets Recovery Branch (SARB-II) H H.No.1-9-563/1, RTC X Roads, Opp. Sandhya Theatre, Chikkadapally, Hyderabad -500 020,
2. The State Bank of India, Refastened by its Branch Manager, Huzurnagar Town and Mandal, Suryapet District.

...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 a Writ of Mandamus, declare the impugned sale notice 09/12/2020 published in Nava Telangana Telugu Daily News paper Khammam Edition and Hans India in Khammam Edition by the Pt respondent in so far as item No.2 of the petitioners property i.e. Flat No.307 (In Second Floor) with built up area of 1080 Sq.Feet along with undivided share of land admeasuring 33 Sq.yards and car parking of 50Sq.Feet in Sy.No.202 and 203 situated at A.V.N.Towers, Huzrnagar Village and Mandal, Suryapet District, as illegal, arbitrary, contrary to Securitization and Reconstruction of Financial Assets and Enforcement of Secured Interest Act, 2002 and violative of Articles 14, 21 and 300-A of the Constitution of India and without jurisdiction and violative of principles of natural justice and pass such other order or orders as this Honble court may deem fit and proper in the circumstances of the case and consequential suspend the sale notice 09/12/2020 published in Nava Telangana Telugu Daily News paper Khammam Edition and Hans India in Khammam Edition by the 1st respondent in so far as item No.2 of the petitioners property i.e. Flat No.307 (In Second Floor) with built up area of 1080 Sq.Feet along with undivided share of land admeasuring 33 Sq.yards and car parking of 50Sq.Feet in Sy.No.20284203 situated at A.V.N.Towers, Huzrnagar Village and Mandal, Suryapet District, pending final disposal of the main writ petition.

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 suspend the sale notice 09/12/2020 published in Nava Telangana Telugu Daily News paper Khammam Edition and Hans India in Khammam Edition by the 1st respondent in so far as item No.2 of the petitioner's property i.e. Flat No.307 (In Second Floor) with built up area of 1080 Sq.Feet along with undivided share of land admeasuring 33 Sq.yards and car parking of 50Sq.Feet in Sy,No.202 and 203 situated at A.V.N.Towers, Huzrnagar Village and Mandal, Suryapet District, pending final disposal of the main writ petition.

Counsel for the Petitioner : SRI S. VIPLAV SIMHA REDDY
Counsel for the Respondents: SRI M. SRIKANTH REDDY
The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

AND

THE HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.23307 of 2020

ORDER : (Per Hon'ble Sri Justice M.S. Ramachandra Rao)

Learned counsel for petitioner seeks to withdraw this Writ Petition with liberty to pursue the Application filed under Section 17 of the SARFAESI Act, 2002 before the Debts Recovery Tribunal, Hyderabad.

Granting liberty as sought, this Writ Petition is dismissed as withdrawn. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/-K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri S. Viplav Simha Reddy, Advocate [OPUC]
2. One CC to Sri M. Srikanth Reddy, Advocate [OPUC]
3. Two CD Copies

sm

HIGH COURT

DATED:28/12/2020



ORDER

WP.No.23307 of 2020

DISMISSING THE WP

AS WITHDRAWN,

WITHOUT COSTS

04/01/2021