

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

**FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HON'BLE SRI JUSTICE UJJAL BHUYAN
AND
THE HON'BLE MRS JUSTICE SUREPALLI NANDA**

WRIT PETITION NO: 16714 OF 2022

Between:

1. Mr. Pentaiah Yerram, S/o Y. Srisaillam, Aged about 45 Years, Occ.Business,
R/o H.No.6-458/73, Dwarakanagar, Chintal, Qutbullapur,
Hyderabad - 500 054.
2. Mrs. Yerram Sreedevi, W/o Pentaiah Yerram, Aged about 41 Years,
Occ. House Wife, R/o H. No. 6-458/73, Dwarakanagar, Hyderabad - 500 054.

...PETITIONERS

AND

1. Bank of India, Habsiguda Branch, Rep. by its Authorized Officer, Situated at
4-7-21/A, Nacharam Main Road, Medchal - Malkajgiri District,
Hyderabad - 500 076.
2. Sri. Puli Venkat Reddy, R/o Mandadi Village, Veldurthy Mandal, Guntur
District, AP.

...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 pass order or orders direction more particularly in the nature Writ of Mandamus or any other appropriate writ, order or direction to the respondent No. 1 bank not to register the sale certificate in favour of the respondent No. 2 in pursuance of the E-Auction which was conducted 25.06.2021 in pursuance of the E-Auction sale notice dated 20.05.2021 as without following the procedure contemplated under the Act as illegal, null and void without following due process of law. Consequently direct the respondent bank to close the loan account considering payment of Rs.43,00,000/-, dated 17.03.2022 made by the petitioners and consequently direct Debt's Recovery Tribunal - II, Hyderabad to dispose the case SA No. 98 of 2022 on merits.

IA NO: 1 OF 2022

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 direct the respondent No. 1 bank not to register the sale certificate in favour of the respondent No. 2 in pursuance of the E-Auction which was conducted 25.06.2021 in pursuance of the E-Auction sale notice dated 20.05.2021.

**Counsel for the Petitioner: Ms. PONNAM HAMSA DURGA FOR
SRI D.RAGHAVULU**

Counsel for the Respondents: None Appeared

The Court made the following: ORDER

THE HONOURABLESRI JUSTICE UJJAL BHUYAN

AND

THE HONOURABLEMRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.16714 of 2022

ORDER: (Per Hon'ble Sri Justice UjjalBhuyan)

Heard Ms. Ponnamm Hamsa Durga, learned counsel representing Mr. D.Raghavulu, learned counsel for the petitioners.

2. After hearing the matter at some length, learned counsel for the petitioners seek leave to withdraw the writ petition and to ventilate their grievance in S.A.No.98 of 2021 filed by the petitioners which is pending before the Debts Recovery Tribunal-II, Hyderabad.

3. In view of above, Writ Petition is dismissed on withdrawal with liberty as prayed for. However, there shall be no order as to costs.

4. As a sequel, miscellaneous applications pending, if any, in this Writ Petition, shall stand closed.

Sd/-K.ONESIM
DEPUTY REGISTRAR

AAH
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to Sri D. Raghavulu Advocate [OPUC]
2. Two C.D. Copies
3. One Spare Copy.
MRC

MS

HIGH COURT

DATED:01/04/2022

ORDER

WP.No.16714 of 2022



DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS

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4-8-22 (6)