

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

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

PRESENT

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO
AND
THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION NO: 31156 OF 2021

Between:

Anil Kumar Agarwal, S/o. Sri. Srinivas Agarwal, Aged about 53 years,
Occ. Business, R/o. 3-5-575, Vittalwadi, Narayanaguda, Hyderabad- 500 029.

...PETITIONER

AND

1. Canara Bank, Retail asset Hub Hyderabad Represented by its Authorised Officer
2. Canara Bank, Ahmed Nagar Branch Represented by its Branch Manager Ahmed Nagar, Hyderabad.
3. Mr. KVS N Pavan Kumar, S/o KVS N Anjaneyulu, Age 48 years,
Occ. Business, R/o 16-11-749, Moosaram Bagh, Dilshuknagar, Hyderabad,
Telangana - 500036.

...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 or order or direction more particularly in the nature of Writ of Mandamus declaring that the action of the Respondent Bank in demanding to pay the 75 Percent of the balance of bid amount without delivering Physical Possession of the Auction Schedule Property and cancelling the third party Sale registered by Respondent No.3 after the mortgage was created, is illegal, arbitrary and against the provisions of SARFAESI Act.

IA NO: 1 OF 2021

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 stay notice dated 18/09/2021 issued by the Respondent Bank to the petitioner to

pay 75 Percent of the bid amount before 30/11/2021 in pursuance of the E-Auction sale held on 30/08/2021.

Counsel for the Petitioner: SRI. CH.SIVA REDDY (NOT PRESENT)

Counsel for the Respondents: ----

The Court made the following: ORDER

HON'BLE SRI JUSTICE P.NAVEEN RAO
AND
HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.31156 OF 2021

ORDER : *(Per Hon'ble Sri Justice P.Naveen Rao)*

Even though the matter is listed today under the caption "for dismissal", there is no representation from both sides.

2. Accordingly, Writ Petition is dismissed for non-prosecution. No order as to costs.

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

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR

Go
SECTION OFFICER

To,

1. One CC to Sri. CH.Siva Reddy, Advocate [OPUC]
2. Two CD Copies

TJ
KKS

BSR

HIGH COURT

DATED:28/12/2022

ORDER

WP.No.31156 of 2021



DISMISSING THE WRIT PETITION
FOR NON-PROSECUTION
WITHOUT COSTS.

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24/01/23
BSR