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Jayasree S S vs the Authorised Officer Under Sarfaesi Act

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Court : Kerala

Decided On : Mar-21-2024

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/11320/2024

Appellant : Jayasree S S

Respondent : The Authorised Officer Under Sarfaesi Act

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN THURSDAY, THE 21ST DAY OF MARCH 2024 / 1ST CHAITHRA, 1946 WP(C) NO. 11320 OF 2024 PETITIONER: JAYASREE S S AGED 54 YEARS W/O K P PRIJI, VENMALAR, N M C 13/374(2), NEAR AMMAN KOVIL, NEDUMANGAD, THIRUVANANTHAPURAM, PIN - 695541 BY ADV S.SACHITHANANDA PAI RESPONDENT: THE AUTHORISED OFFICER UNDER SARFAESI ACT HDB FINANCIAL SERVICES LTD, 3RD FLOOR, NEW JYOTHI TOWERS, S S KOVIL ROAD, THAMPANOOR P O, THIRUVANANTHAPURAM, PIN - 695001 OTHER PRESENT: SRI P.PAULOCHAN ANTONY THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21.03.2024, THE

COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ---------- W.P.(C).No.11320 of 2024 ---------- Dated this the 21st day of March, 2024

JUDGMENT

This writ petition is filed with the following prayers:- i. Issue a writ of mandamus or any other appropriate writ order or direction, directing the respondent not to sell the property as per Ext.P2. ii. Issue a writ of Certiorari or any other appropriate writ order or direction, setting aside the proceedings lead to Ext.P2 and all SARFAESI proceedings pursuant to Ext.P2. iii. Grant such other relief that this Honble Court deems fit to grant in the circumstances of the case. (SIC)

The main prayer in this writ petition is against the sale. Now, the learned Standing Counsel appearing for the 1st respondent submitted even though the sale was scheduled today, there was no bidders and therefore, the sale will be adjourned. Therefore, in the light of the same, nothing survives in this case. Recording the above submission, this writ petition is closed. Sd/- JUDGE bng APPENDIX OF WP(C) 11320/2024 PETITIONER EXHIBITS EXHIBIT P1 COPY OF THE JUDGMENT DATED 05.01.2024 IN W P (C) 43660/2023 EXHIBIT P2 COPY OF THE SALE NOTICE DATED 28.02.2024 OF THE RESPONDENT EXHIBIT P3 COPY OF THE FAIR VALUE OF THE LAND PUBLISHED IN THE GAZETTE

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