

**THE HON'BLE SRI JUSTICE N.V. RAMANA**  
**AND**  
**THE HON'BLE SRI JUSTICE P. DURGA PRASAD**

**W.P. No. 14661 of 2011**

**Oral order:** (Per N.V. Ramana, J.)

The petitioner obtained loan from respondent No.1-Bank. As he did not repay the loan amount, respondent No.1-Bank initiated proceedings under the SARFAESI Act, for recovery of the loan amount, and in that process issued auction notice dated 26.04.2011 for sale of the properties covered thereunder, for realization of their dues from the petitioner. Questioning the said notice, the petitioner filed the present writ petition.

This Court, by order dated 31.05.2011, while admitting the writ petition, granted interim suspension of the impugned auction notice subject to the condition of the petitioner depositing one half of the liability within a period of six weeks from that day. Thereafter, on the request made by the petitioner, by orders dated 13.07.2011, passed in W.P.M.P. No. 23524, extended the time to deposit the amount by three more weeks. To vacate the interim order passed by this Court, respondent No.1-Bank vacate stay petition accompanied by counter affidavit. Thereafter, the matter was adjourned on three occasions, and on 27.09.2011, the matter was directed to be listed under the caption "for dismissal". On 29.09.2011, this Court granted one more week's time to comply with the interim order, making it clear that in default, the writ petition stands dismissed.

Inasmuch as the petitioner, in spite of extending the time, failed to comply with the interim order, he is not entitled to any indulgence by this Court.

Hence, the writ petition is dismissed. No costs.

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**N.V. RAMANA, J.**

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**P. DURGA PRASAD, J.**

**Dated: 08<sup>th</sup> December, 2011**  
**KSR**