

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

MONDAY, THE TWENTY FIFTH DAY OF JULY  
TWO THOUSAND AND TWENTY TWO

**PRESENT**

**THE HONOURABLE SRI JUSTICE P NAVEEN RAO**

**THE HONOURABLE DR. JUSTICE G.RADHA RANI**

**WRIT PETITION NO: 30427 OF 2022**

**Between:**

Smt. Kaniganti Hamsa Veni, W/o. K.Narsing Rao, Aged about 51 years, Occ House Wife, R/o. H.No.8-2-613/75/11/212, Uday Nagar, Banjara Hills, Hyderabad.

**...PETITIONER**

**AND**

M/s. Canara Bank (E-Syndicate Bank), Jai Santosh Nagar Colony Branch, 7-71/4, Street No.8, Maheshwari Nagar, Habsiguda, Hyderabad-500007, Rep. by its Authorized Officer

**...RESPONDENT**

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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing Sale Notice 10.06.2022 slating the date of auction on 25.07.2022 against the subject property as illegal, arbitrary and contrary to the provision of SARFAESI Act, 2002 and consequently set aside the same.

**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 grant stay of all further proceedings in pursuance to the Sale Notice dated 10.06.2022 slating the date of auction on 25.07.2022, pending the disposal of the above Writ Petition.

**Counsel for the Petitioner: SRI V.V.RAMANA**

**Counsel for the Respondent: SRI A.V.S.PRASAD**

**The Court made the following: ORDER**

**HON'BLE SRI JUSTICE P.NAVEEN RAO  
AND  
HON'BLE SMT DR.JUSTICE G.RADHA RANI**

**WRIT PETITION No.30427 of 2022**

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

This writ petition is filed challenging the Sale notice dated 10.06.2022, where under, auction was proposed to be conducted on 25.07.2022.

2. Though remedy of appeal is available before the Debts Recovery Tribunal, this writ petition is filed on the ground that there is urgency in the matter as sale is proposed to be conducted today and presiding officer was not available in the Debts Recovery Tribunal-II at Hyderabad (for short 'the Tribunal').

3. Today, the Court is informed that presiding officer to the Debts Recovery Tribunal-II is assuming office today.

4. Ordinarily, we would have relegated the party to avail the remedy before the Tribunal including seeking interim protection, but having regard to the fact that sale is scheduled to be held today only, we are inclined to grant interim protection till availing the remedy before the Tribunal.

5. Therefore, the Writ Petition is disposed of directing the respondent that sale proceedings may go on, but not to finalize the sale proceedings for a period of four weeks. In the meantime, petitioner shall avail the remedy

provided before the Tribunal. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-G.SIREESHA  
ASSISTANT REGISTRAR  
SECTION OFFICER  
Cdt 28/9/22

To,

1. The Authorized Officer, M/s. Canara Bank (E-Syndicate Bank), Jai Santosh Nagar Colony Branch, 7-71/4, Street No.8, Maheshwari Nagar, Habsiguda, Hyderabad-500007.
2. One CC to SRI V.V.RAMANA, Advocate [OPUC]
3. One CC to SRI A.V.S.S.PRASAD, Advocate [OPUC]
4. Two C.D. Copies.
5. One Spare Copy.

MRC   
SW

HIGH COURT

DATED:25/07/2022

ORDER

WP.No.30427 of 2022



DISPOSING OF THE WRIT PETITION

(6)  
MA  
23/9/22