

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND**

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO

IA No. 1 OF 2026

IN

WP NO: 4058 OF 2026

Between:

1. Dasari Hari Babu, S/o. Rama Rao, aged about 50 years, R/o. D.No. 13-11-27, Ward No. 28, Darsi Compound, Bapatla, Guntur District, Andhra Pradesh - 522 101.
2. Smt Dasari Padma, W/o. Hari Babu, aged about 45 years, R/o. D.No. 13-11-27, Ward No. 28, Darsi Compound, Bapatla, Guntur District, Andhra Pradesh - 522 101

...Petitioner(s)

(Petitioner in WP 4058 OF 2026

on the file of High Court)

AND

1. The Reserve Bank Of India, Rep. by its Chief General Manager, 22nd Floor, Central Office Building, Shahid Bhagat Singh Road, Fort, Mumbai, Maharashtra - 400 001.
2. Unity Small Finance Bank Co. Ltd, Rep. by its Authorized Officer, 2nd Floor, Vinay Bhavya Complex, CST Road, Kalina, Santacruz (East), Mumbai, Maharashtra - 400098.
3. Unity Small Finance Bank Co. Ltd, Rep. by its Branch Manager, R/o D.No. 23-9-18, Sri Rajarajeswari Nilayam, Satyanarayanapuram, Vijayawada, Andhra Pradesh - 520011.

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioner: SRI VINOD KUMAR PEMMASANI

Counsel for the Respondents: ---

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 all further proceedings pursuant to Section 13(2) Demand Notice dated 10.10.2022 and Section 13(4) symbolic possession Notice dated 29.01.2026, Pending disposal of WP No.4058 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

“The petitioner, who is the principal borrower, seeks to challenge the measures initiated by the respondent-bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, the “SARFAESI Act”), by way of issuing notice under Section 13 (2) dated 10.10.2022 and taking symbolic possession of the secured asset under Section 13 (4) of the SARFAESI Act, mainly on the ground that the secured asset is not registered with the Central Registry as required under Section 26B and in view of the bar engrafted under Section 26D of the SARFAESI Act that the secured creditor cannot exercise the rights of enforcement of security interest unless the secured interest created in its favour by the borrower has been registered with the Central Registry. In proof of this fact that the secured asset is not registered with the Central Registry, he has produced the Asset-Based Search Report, which is available at page No.30 of the writ petition.

Therefore, in view of the bar engrafted for enforcement of securities under Section 26D of the SARFAESI Act, there shall be an interim stay of all further proceedings pursuant to the notices issued under Sections 13 (2) and 13 (4) of the SARFAESI Act till the next date of hearing."

SD/-A.VIJAYA BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief General Manager, Reserve Bank of India, 22nd Floor, Central Office Building, Shahid Bhagat Singh Road, Fort, Mumbai, Maharashtra - 400 001.
2. The Authorized Officer, Unity Small Finance Bank Co. Ltd, 2nd Floor, Vinay Bhavya Complex, CST Road, Kalina, Santacruz (East), Mumbai, Maharashtra - 400098.
3. The Branch Manager, Unity Small Finance Bank Co. Ltd, R/o D.No. 23-9-18, Sri Rajarajeswari Nilayam, Satyanarayanapuram, Vijayawada, Andhra Pradesh - 520011. (Addressee Nos.1 to 3 By RPAD)
4. One CC to SRI VINOD KUMAR PEMMASANI Advocate [OPUC]
5. One spare copy

HIGH COURT

CMR,J

&

VGKR,J

DATED:12/02/2026

LIST THE MATTER ON 12.03.2026

ORDER

IA No. 1 OF 2026

IN

WP NO: 4058 OF 2026

DIRECTION

