

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

Writ Petition No.5621 of 2026

PROCEEDING SHEET

Sl.No.	DATE	ORDER	Office Note
	26.02.2026	<u>CMR, J & GTK, J</u> <u>W.P.No.5621 of 2026</u> Smt.V.Dyumani, learned Standing Counsel takes notice for the respondent-Bank and requests time to file counter. List the matter on 30.03.2026. <u>CMR,J</u> <u>GTK,J</u> <u>I.A.No.1 of 2026</u> Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Bank. The writ petition has been filed challenging the Sale Notice that was issued on 05.02.2026 by the respondent Bank for sale of the other secured asset. The Sale Notice was challenged on various grounds and one ground among the said grounds is that the Bank has reduced the reserve price that was fixed by 10% unilaterally. There is no provision in the SARFAESI Act or the Rules to enable the Bank to reduce the reserve price by 10%.	

		Therefore, the said controversy relating to right of the Bank to reduce the reserve price by 10% is to be resolved and adjudicated after a counter is filed explaining the reasons for reducing the reserve price and the provision enabling the Bank to reduce the reserve price. In fact, Rule 8 of the Rules prescribes the procedure for fixing the reserve price and there is nothing to indicate in the said Rules that the Bank is authorized to reduce the reserve price. Therefore, in the said facts and circumstances of the case, there shall be stay of further proceedings pursuant to the sale notice dated 05.02.2026 till the next date of hearing. <u>CMR,J</u> <u>GTK,J</u> KA	
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