

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY ,THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

AND

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

IA No. 1 OF 2026

IN

AS NO: 388 OF 2019

Between:

1. M/S RASHI PERIPHERALS LTD.,, Office Aristo House, 5th Floor Corner of Telli Galli Andheri (E), Mumbai-400 060.
2. Rashi Peripherals Pvt. Ltd.,, 46-7-35, Visram Arcade Danavaipeta, Rajahmundry-533 103, E.G.Dist.

...Petitioners/Appellants.

AND

1. Chodabathula Veera Satya Rama Krishna, S/o Venkata Rao, Hindu, Aged 34 years, Oec Business, R/o Flat No.E1, Gopal Buildings, Besides Reliance Petrol Bunk, Kakinada, E.G.Dist.
2. American Power Conversion (India) Pvt., Ltd., Rep. by Schnieder Electric, 16, Row House, Goyal Inter City, Behind Drive in Cinema, Thaltej Road, Ahmedabad, Gujarati-380 054.

...Respondents/Respondents

Counsel for the Petitioner :. T V JAGGI REDDY

Counsel for the Respondent :HARINATH REDDY SOMA

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 permitted to withdraw the 50% of the Decretal amount i.e Rs.76,14,309/-, on furnishing Bank Guarantee issued by the State Bank of India, Main Branch, Kakinada, Dt.09-03-2026, in the credit of A.S No.388 of 2019, on the file of this Hon'ble 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

On 26.02.2026, this Bench passed the following order:

After arguing at some length, Sri T.V.Jaggi Reedy, learned counsel for respondent No.1, submits that I.A.No.2 of 2025 was filled seeking permission to withdraw 50% of the decretal amount, i.e., Rs.73,01,349/-, on furnishing a bank guarantee, pursuant to the orders of the Hon'ble Apex Court, as also a Coordinate Bench, copies of which are annexed to the said application.

2. However, in the application seeking permission to withdraw 50% of the decretal amount, the sum mentioned is Rs.73,01,349/-, which does not correspond with the aforesaid calculation of Rs.76,14,309/- in terms of the order of the Co-ordinate Bench dated 18.11.2021.

3. The bank guarantee is required to be furnished for a sum of Rs.76,14,309/-, which represents 50% of the decretal amount as per the order of this Court.

4. Learned counsel therefore, prays for time to furnish a bank guarantee for 50% of the decretal amount in terms of the order dated 18.11.2021 for an amount of Rs.76,14,309/-.

5. Post after two (02) weeks.

2. As is evident from the said order that the respondent No.1 furnished a bank guarantee for 50% of the decretal amount in terms of the order dated 18.11.2021 passed on the same date. However, the bank guarantee was furnished for an amount of Rs.73,01,349/-, which is less than the amount claimed Rs.76,14,309/-.

3. I.A.No.1 of 2026 has been filed for permission to withdraw 50% of the decretal amount, i.e., Rs.76,14,309/- on furnishing bank guarantee issued by the State Bank of India, Main Branch, Kakinada, dated 09.03.2026 in the credit of A.S.No.388 of 2019.

4. The bank guarantee has been annexed along with the affidavit filed in support of I.A.No.1 of 2026.

5. Sri D.R.Hari Prasad, learned counsel for the appellant, appearing through virtual mode, submits that the said application is in terms of the order passed by this Court as also the Hon'ble Apex Court.

6. Considering the aforesaid, I.A.No.1 of 2026 is allowed. The appellant is permitted to withdraw the amount in terms of this order by furnishing the said bank guarantee, subject to verification by the Registrar (Judicial) of this Court.

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SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati.

2. Chodabathula Veera Satya Rama Krishna, S/o Venkata Rao, Hindu, Aged 34 years, Oec Business, R/o Flat No.E1, Gopal Buildings, Besides Reliance Petrol Bunk, Kakinada, E.G.District
3. American Power Conversion (India) Pvt., Ltd., Rep. by Schnieder Electric, 16, Row House, Goyal Inter City, Behind Drive in Cinema, Thaltej Road, Ahmedabad, Gujarati-380 054.(1-2 By RPAD)
4. One CC to SRI. HARINATH REDDY SOMA Advocate [OPUC]
5. One CC to SRI. T V JAGGI REDDY Advocate [OPUC]
6. **One spare copy**

HIGH COURT

RNT, J
&
BM, J

DATED:23/04/2026

LIST THE MATTER ON 25.06.2026

ORDER

IA No. 1 OF 2026
IN
AS NO: 388 OF 2019

DIRECTION

