



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE TWENTY SECOND DAY OF JULY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI DHIRAJ SINGH THAKUR, CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 13361 OF 2024

Between:

M/s. VMS Ferro Alloys Private Limited, Rep. by its Managing Director, Konda
Mohan Reddy, Kunchanapalli Village, Tadepalli Mandal, Guntur District

...Petitioner

AND

1. The Authorised Officer, Indian Bank Head Office at 254-260 Avvai Shanmugam Salai, Royyapettah Chennai.
2. The Branch Manager, Indian Bank, Governorpet Branch, D.No 27-6-170, Prakasam Road, Governorpet, Vijayawada.
3. C-Tel Info Systems Private Limited, Pusa Lane, Karol Bagh, New Delhi, Central Delhi.

...Respondents

WHEREAS the Petitioner above named through its Advocate M/s PADALA VENKATA SRIRAM REDDY presented this 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 Writ or direction more particularly one in the nature of Writ of Certiorari by setting aside the findings of the learned Appellate Tribunal Appeal No 75 of 2022 and 41 of 2023 dated 13-05-2024 with regard to the finding that the Secured Creditor is directed to refund the amount to the auction purchaser along with

interest from the date of deposit till the date of actual payment at interest applicable in the bank on the fixed deposit on the relevant date of deposit as it is against to Rule 9(4) and 9(5) of the Security Interest (Enforcement) Rules, 2022 and consequently forfeit the deposited amount as envisaged under Rule 9(5) of the Security Interest (Enforcement) Rules, 2022

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and the earlier order of the High court dated 01.07.2024 made herein and upon hearing the arguments of Sri Padala Venkata Sriram Reddy, Advocate for the Petitioner and of Sri D Satyanarayana, Standing Counsel for Respondent Nos. 1 & 2, directed issue of fresh notice to the Respondent No.3 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

C-Tel Info Systems Private Limited, Pusa Lane, Karol Bagh, New Delhi, Central Delhi.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 19.08.2024, on which date the case stands posted for hearing.

IA NO: 2 OF 2024

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 further proceedings pursuant to the order of the Appellate Tribunal with regard to the finding "the Secured Creditor is directed to refund the amount to the auction purchaser along with interest from the date of deposit till the date of actual payment at interest applicable in the bank on the

fixed deposit on the relevant date of deposit" till pending disposal of WP No. 13361 of 2024, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER

"At request of learned counsel for the petitioner, issue fresh notice to respondent No.3.

Personal notice to respondent No.3 is also permitted.

List on 19.08.2024.

Interim order granted earlier shall continue to operate till the next date of hearing. ."

Sd/- K RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//



For ASSISTANT REGISTRAR

To,

1. C-Tel Info Systems Private Limited, Pusa Lane, Karol Bagh, New Delhi, Central Delhi.(by RPAD along with a copy of petition and affidavit)
2. One CC to SRI. PADALA VENKATA SRIRAM REDDY Advocate [OPUC]
3. One CC to Sri D Satyanarayana Standing Counsel [OPUC]
4. Two spare copies

HIGH COURT

HC,J

&

NJSJ

DATED:22/07/2024

LIST ON 19.08.2024

NOTICE TO RESPONDENT No.3

WP.No.13361 of 2024

INTERIM ORDER EXTENDED

