

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI



**TUESDAY, THE NINTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 21976 OF 2024

Between:

1. M/s Pavithra Foam Products, Rep. by its Managing Partner, Sri Kolanuwada Satyanarayana Raju, S/o Venkata Krishnam Raju, Aged about 60 years, R/o Alampuram, Pentapadu Mandal, West Godavari District-534146.
2. Sri Kolanuwada Satyanarayana Raju,, S/o Venkata Krishnam Raju, Aged about 60 years, R/o Alampuram, Pentapadu Mandal, West Godavari District.

... Petitioners

AND

1. The Reserve Bank of India, Central Office Buildings, 18th Floor, Shahid Bhagath Singh Road, Mumbai, Maharastra - 400 001 Represented by its Authorised representative
2. Union Bank of India, Rep. by its Chief Manager, Tadepalligudem, West Godavri District.

...Respondents

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 may be pleased to issue a writ or order or direction more particularly one in the nature of WRIT OF MANDAMUS

A) Declaring the action of the Respondent No.2 dated 15.6.2021 (mentioned in demand notice dt.16.06.2021) in declaring the loan accounts Loan Account No. 055013100036756, 055030100130478, 055030100203932 and 055030100204995 of Petitioners No.1 as NPA is illegal, arbitrary and in

violation of MSMED Act and RBI guidelines of Micro, Small and Medium Enterprises (MSME)

B) Consequently set-aside the action of the Respondent No.2 dated 15.6.2021 (mentioned in demand notice dt.16.06.2021) in declaring the loan accounts Loan Account No.055013100036756, 055030100130478, 055030100203932 and 055030100204995 as being arbitrary and illegal and in violation of MSMED Act and RBI guidelines of Micro, Small and Medium Enterprises (MSME)

C) Direct the Respondent No.2 to consider the representations of the Petitioner dated 17.9.2021;

IA NO: 1 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 all further proceedings initiated by the Respondent No.2 arising out of NPA declaration dated 15.6.2021 (mentioned in demand notice dt.16.06.2021) in declaring the loan accounts Loan No. 055013100036756, 055030100130478, 055030100203932, and 055030100204995, Pending disposal of WP 21976 of 2024, on the file of the High Court.

IA NO: 1 OF 2025

Between:

Union Bank of India, Rep. by its Chief Manager, Tadepalligudem, West Godavri District.

...Vacate Petitioner/

Respondent No.2

AND

1. M/s Pavithra Foam Products, Rep. by its Managing Partner, Sri Kolanuwada Satyanarayana Raju, S/o Venkata Krishnam Raju, Aged about 60 years, R/o Alampuram, Pentapadu Mandal, West Godavari District-534146.

2. Sri Kolanuwada Satyanarayana Raju, S/o Venkata Krishnam Raju, Aged about 60 years, R/o Alampuram, Pentapadu Mandal, West Godavari District.

... Respondents/Writ Petitioners

3. The Reserve Bank of India, Central Office Buildings, 18th Floor, Shahid Bhagath Singh Road, Mumbai, Maharashtra - 400 001 Represented by its Authorised representative

... 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 vacate the interim stay orders dt. 01.10.2024 passed in LA. No. 01/2024 in W.P. No. 21976/2024 and dismiss the WP with exemplary costs, Pending disposal of WP 21976 of 2024, on the file of the High Court.

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 direct the respondent No.2 not to take any further coercive steps under any Act in respect of Petitioner No.1 Loan Account No. 055013100036756, 055030100130478, 055030100203932 and 055030100204995 held with the Respondent No.2, Pending disposal of WP 21976 of 2024, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated. 01.10.2024, 12.11.2024, 10.02.2025 & 06.03.2025 made herein and upon hearing the arguments of Sri.Avula Akash, Advocate for the Petitioners, and of Sri. S Satyanarayana Moorthy, Standing Counsel for the Respondent No.1,

and of Sri B.Hanumantha Rao, Standing Counsel for the Respondent No.2, the Court made the following

ORDER:

At request of the learned counsel for the petitioners, the matter was adjourned on 11.11.2025, 17.11.2025. Even today, when the matter is called learned counsel for the petitioners is not ready to argue the matter.

Learned counsel appearing for the respondents submits that vacate application was filed in the month of December, 2024 and the matter underwent several adjournments.

Hence, the interim order passed by this Court on 01.10.2024 is vacated.

Post the matter in regular course, for hearing.

Sd/-N.Nagamma,
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Authorised Representative, Reserve Bank of India, Central Office Buildings, 18th Floor, Shahid Bhagath Singh Road, Mumbai, Maharashtra - 400 001.
2. The Chief Manager, Union Bank of India, Tadepalligudem, West Godavri District. (addressee 1 and 2 by RPAD)
3. One CC to Sri. Avula Akash Advocate, [OPUC]
4. One CC to Sri. S Satyanarayana Moorthy, Advocate [OPUC]
5. One CC to Sri. B.Hanumantha Rao, Advocate [OPUC]
6. One spare copy

HIGH COURT

JS,J

DATED:09/12/2025

Post the matter in regular course, for hearing

ORDER

WP.No.21976 of 2024

DIRECTION

