

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

SATURDAY, THE NINETEENTH DAY OF OCTOBER,  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 23564 OF 2024

**Between:**

State Bank of India, Stressed Assets Recovery Branch, Administrative office  
Campus, Balaji Nagar, Siripuram Junction, Visakhapatnam, 530003 Rep. By  
its Authorised Officer.

...Petitioner

AND

1. The Debt Recovery Appellate Tribunal, At Kolkata, Rep. by its Registrar, 7<sup>th</sup> floor, 9, Old Post Office St, B.B.D. Bagh, Kolkata, West Bengal 700001.
2. M/s Sri Sarva Lakshmi Agencies, a Partnership Firm Rep. By. Ms Kancharla Bala Saroja Bindu Rekha, Aged about 50 Years, Occ-Business, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
3. Ms Kancharla Bala Saroja Bindu Rekha, W/o.K.V.Ramalingeswara Rao, Aged about 50 Years, Occ- Business, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
4. Sri Kancharla Suryavathi, W/o.K.V.Lakshmi Narayana, Aged about 52 Years, Occ- Business, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.



5. Sri Kancharla Lakshmi Narayana, S/o.Veerayya, Aged about Years, Occ- Business, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
6. Sri Kancharla Veera Venkata Ramalingeswara Rao, S/o.Lakshminarayana, Occ- Business, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
7. M/S Sowbhagya Estates, Rep. By its Partners Smt Kancharla Suryavathi and Smt Kancharla Bala Saroja Bindu Rekha, D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
8. Sri Bondada Srinivasa Papa Rao, S/o.Balayya, D.No. 3-24A, Bondada Lane, Neelapalli Village, Tallarevu Mandal, East Godavari District, 533463.

**...Respondents**

WHEREAS the Petitioner above named through its Advocate Sri S.SATYANARAYANA MOORTHY 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 a writ order or direction more particularly in the nature of writ of Certiorari or any Appropriate Writ by declaring the Orders Passed by the Honble Debt Recovery Appellate Tribunal, Kolkata in Appeal Number 97 of 2024, Dated 06-09-2024, in which it modified the Order in O.A.No.257 of 2018, passed by the Honble Debt Recovery Tribunal, Visakhapatnam, by reducing the Interest Rate from 13.55% (Agreed Interest Rate) per annum at monthly rests to 9percent Simple Interest, by applying Section 34 of Code of Civil Procedure erroneously, contrary to Section 22 of Recovery of Debts Due to Banks and Financial Institutions Act, 1993, there by causing huge loss to a tune of Rs.66,77,014.73 (Rupees Sixty Six Lakhs Seventy Seven Thousand Fourteen and Seventy Three Paise Only) to the Public Money, consequently praying to set-aside the Orders passed by the Honble Debt Recovery Appellate Tribunal Kolkata in Appeal Number 97 of 2024, Dated 06-09-2024;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri S.Satyanarayana Moorthy, Advocate for the Petitioner, directed issue of notice to the Respondents returnable on 02.12.2024 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Registrar, Debt Recovery Appellate Tribunal, At Kolkata, 7<sup>th</sup> floor, 9, Old Post Office St, B.B.D. Bagh, Kolkata, West Bengal 700001.
2. Ms Kancharla Bala Saroja Bindu Rekha, Occ: Business, M/s Sri Sarva Lakshmi Agencies, a Partnership Firm Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
3. Ms Kancharla Bala Saroja Bindu Rekha, W/o.K.V.Ramalingeswara Rao, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
4. Sri Kancharla Suryavathi, W/o.K.V.Lakshmi Narayana, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
5. Sri Kancharla Lakshmi Narayana, S/o.Veerayya, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
6. Sri Kancharla Veera Venkata Ramalingeswara Rao, S/o.Lakshminarayana, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
7. The Partners Smt Kancharla Suryavathi and Smt Kancharla Bala Saroja Bindu Rekha, M/S Sowbhagya Estates, D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
8. Sri Bondada Srinivasa Papa Rao, S/o.Balayya, D.No. 3-24A, Bondada Lane, Neelapalli Village, Tallarevu Mandal, East Godavari District, 533463.

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 02.12.2024, on which date the case stands posted for hearing;

**The Court made the following:**

**ORDER:**

**“Issue notice to the respondents returnable on 02.12.2024.**

**Service of personal notice on respondent Nos.2 to 8 is permitted.**

**List on 02.12.2024.”**

**Sd/- Sk.Md.Rafi**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

  
**SECTION OFFICER**

**To,**

1. The Registrar, Debt Recovery Appellate Tribunal, At Kolkata, 7<sup>th</sup> floor, 9, Old Post Office St, B.B.D. Bagh, Kolkata, West Bengal 700001.
2. Ms Kancharla Bala Saroja Bindu Rekha, Occ: Business, M/s Sri Sarva Lakshmi Agencies, a Partnership Firm Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
3. Ms Kancharla Bala Saroja Bindu Rekha, W/o.K.V.Ramalingeswara Rao, Presently Residing at D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
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7. The Partners Smt Kancharla Suryavathi and Smt Kancharla Bala Saroja Bindu Rekha, M/S Sowbhagya Estates, D.No-7-1-011, Pydikondalavari Street, Yanam-533464.
8. Sri Bondada Srinivasa Papa Rao, S/o.Balayya, D.No. 3-24A, Bondada Lane, Neelapalli Village, Tallarevu Mandal, East Godavari District,

533463. (Addressee Nos.1 to 8 by RPAD- along with a copy of petition and affidavit)

9. One CC to Sri. S.Satyanarayana Moorthy, Advocate [OPUC]

10. Two spare copies

MM

HIGH COURT

HC,J

&

RC,J

DATED:19/10/2024

LIST ON 02.12.2024

NOTICE BEFORE ADMISSION

WP.No.23564 of 2024

