

[3206]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY ,THE THIRD DAY OF JANUARY

TWO THOUSAND AND TWENTY THIRD



:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

WRIT PETITION NO: 28436 OF 2022

Between:

Konduru Narasa Raju, S/o China Subba Raju, Aged about 62 years, R/o. D.No. 16-1090, K V Agraharam, Trunk Road, Nellore, SPSR Nellore, Andhra Pradesh - 524003.

...Petitioner

AND

1. State Bank of India, Rep. by its Chief Manager, Administrative Office, Renigunta Road, Tirupati, Chittoor District, Andhra Pradesh-517501
2. State Bank of India, Rep. by its Zonal Manager, Tirupati, Andhra Pradesh - 517507.
3. Punjab National Bank, Rep.by its Chief manager, JCPC+VP8, VV Mahal Rd, RS Gardens, Reddy and Reddy's Colony, Tirupati, Andhra Pradesh 517501
4. Indian Banks Association, 6th Floor Centre 1 Building, World Trade Centre Complex, Cuffe Parade, Mumbai 400005.
5. Reserve Bank of India, Represented by its General Manager, Department of Banking Supervision Reserve Bank of India, Central Office Centre 1, World Trade Centre Mumbai - 400 005.

...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 to issue writ, order, or direction, one more particularly in the nature of "Writ of Mandamus" declaring the action of Respondents, more particularly, the 4th Respondent in including the name of the Petitioner in the Caution List circulated vide proceedings No. OPR/CIR/Fr/TPE/4869 dated. 12.04.2018 (in placing the name of the Petitioner on the IBA caution list of third parties at Serial. No.756, Page SI No. 254) pursuant to Letter Ref dated. 06.04.2018 issued by the 4th Respondent, which is circulated to all the Banks which are Members of 4th Respondent as being illegal, arbitrary, unjust, in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India, and in violation of the principles of natural justice, and in violation of RBI (5th Respondent) Guidelines issued vide Circular No.DBS.CO.CFMC.BC.No.1/23.04 .001/2016-17 dated 01.07.2017 (updated on 03.07.2017), and consequently to set aside the same, and it is consequently prayed to direct the 4th Respondent not to be influenced with the instructions of the 3rd Respondent Bank and direct the 1st and 2nd respondents to empanel the petitioner de hors their letter Ref A.O/TPT/CM-CR/F-NO. 400 dated 18.02.2020.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the WRIT petition, the High Court may be pleased to direct the 4th Respondent not to be influenced with the instructions of the 3rd Respondent Bank and direct the 1st and 2nd respondents to empanel the petitioner de hors their letter Ref. A.O/TPT/CM-CR/F-NO: 400 dated 18.02.2020, pending disposal of WP No. 28436 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the WRIT petition, the High Court may be pleased to suspend the Caution List issued by the 4th Respondent circulated vide proceedings No. OPR/CIR/Fr/TPE/4869 dated. 12.04.2018 only to the extent of the Petitioner who was referred/ arrayed at Serial. No. 756, Page SI No. 254, i.e. to direct the 4th Respondent to remove the name of the Petitioner from the Third Party Entities Caution involved in frauds from the website maintained by 4th Respondent, pending disposal of WP No. 28436 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Criminal Petition and the memorandum of grounds filed in support thereof and the earlier Order of the High Court dated 27.06.2022, 06.09.2022, 15.09.2022, 17.10.2022 06.12.2022 and upon hearing the arguments of M/s. KATHI THRIVENI Advocate for the Petitioner, and of Sri S.Satya Narayana Moorthy, Advocate for the respondent Nos.1 & 2, the Court made the following.

: ORDER

At request of learned counsel for the respondents, post after four weeks for filing Counters.

The Interim order granted earlier shall stand extended pending further orders

**Sd/- U.SRIDEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. One CC to Sri. Kathi Thriveni, Advocate [OPUC]
2. One CC to Sri. S.Satya Narayana Moorthy, Advocate [OPUC]
3. One spare copy

NBR

DEV, J

DATED:03/01/2023

post after four (04) weeks for filing Counter

WP.No.28436 of 2022

INTERIM ORDER GRANTED EARLIER EXTENDED

