

**WRIT PETITION NO: 26704 of 2025**

Kondiboyina Kalyan Chakravarthy

...Petitioner

Vs.

Union of India and others

...Respondent(s)

**CORAM: HON'BLE MRS JUSTICE LISA GILL
HON'BLE MR JUSTICE NINALA JAYASURYA****DATE : 22nd APRIL, 2026**

Present: Mr. V.S.R. Anjaneyulu, Senior Advocate representing
Mr. Pothina Gagan Karthik, Advocate for Petitioner.

Mr. A.M. Haneef, Advocate representing
Mr. Bachina Hanumantha Rao, Central
Government Counsel, for Respondent No.1.
Mr. Tagore Yadav, Advocate for Respondent No.2.
Ms. Vinodhini Ruthu, Advocate representing
Mr. Dhara Satyanarayana, Advocate for Respondent No.3.

LISA GILL, J.

1. This Writ Petition has been filed by petitioner, challenging the proceedings under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, "SARFAESI Act"), initiated by Respondent No.2.

2. It is submitted that loan facility was availed of by Respondent Nos.4 and 5 in the year 2017. Flats were constructed thereon, and one of the sixteen flats was purchased by petitioner. On account of financial indiscipline on the part of borrowers, proceedings under SARFAESI Act were initiated by Respondent No.2. Notice was issued in this Writ Petition on 26.09.2025, and further proceedings under SARFAESI Act, was stayed. At this stage, it is pointed out that S.A.No.108 of 2025, filed by petitioner, is pending adjudication before learned Debts Recovery Tribunal, Visakhapatnam (for short, 'DRT').

3. Learned counsel for Respondents points out that sixteen flats were constructed by borrowers and sold to various persons. Eight of the flat owners have deposited their proportionate amount due, no objection certificates have been issued, and properties were registered in their favour. Six of the flat owners, including the petitioner, approached learned DRT. Out of said persons, five have deposited their proportionate amounts, no objection certificates have been issued in their favour, and properties were registered. S.A.No.108 of 2025, filed by present petitioner, is pending adjudication.

4. During course of hearing, a consensus has been arrived at between the parties that learned DRT, Visakhapatnam be directed to finally adjudicate upon and decide S.A.No.108 of 2025 in a time-bound manner, and in the interregnum, interim order granted on 26.09.2025 may enure. None of the parties it is submitted would seek an adjournment before learned DRT.

5. Keeping in view facts and circumstances, especially the consensus arrived at between parties, it is directed that learned DRT, Visakhapatnam shall decide pending S.A.No.108 of 2025, preferably on 11.06.2026 and definitely within a period of three (3) months after 11.06.2026. Till then, interim order in favour of petitioner, shall enure. It is made clear that this

interim order shall not automatically enure any further than the period, as indicated above.

6. Writ Petition is disposed of, accordingly. No costs. Pending application(s), if any, stand(s) disposed of, accordingly.

(LISA GILL)
JUDGE

(NINALA JAYASURYA)
JUDGE

Date: 22.04.2026
MS

HON'BLE MRS JUSTICE LISA GILL
HON'BLE MR JUSTICE NINALA JAYASURYA

Writ Petition No.26704 of 2025

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MS