

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

MONDAY, THE TWENTY SEVENTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HON'BLE SRI JUSTICE DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 27318 OF 2024



Between:

1. Angara Bhogavathi Lakshmi Tayaru, W/o late Saibabu aged about 73 years, Housewife, residing at Kirlampudi Layout, Visakhapatnam.
2. Angara Rajesh, S/o late Saibabu, aged about 52 years. Business, residing at Kirlampudi Layout, Visakhapatnam.
3. Angara Ravindra, S/o late Saibabu, aged about 50 years, residing at Kirlampudi Layout, Visakhapatnam.

..Petitioners

AND

The State Bank of India, Bazaar Branch, Rajamahendravaram East Godavari District Rep. by its Branch Manager.

...Respondent

WHEREAS the Petitioners above named through their Advocate M/s. UTTARA LEGAL 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 OF CERTIORARI calling for records leading up to passing the impugned order, dated 30.04.2024 (served through letter, dated 05.06.2024) in Appeal No.246/2017, on the file of Debt Recovery Appellate Tribunal, Kolkata (for short DRAT) confirming the order dated 01.08.2017 passed in M.A.No.91/2010 in O.A.No.101/2005 on the file of

Debt Recovery Tribunal, Visakhapatnam (for short DRT) as illegal, arbitrary, unconstitutional and without jurisdiction and contrary to Rule 22 (2)(h) of RDDV Act and quash the same, in the interest of justice; ✓

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and the order of the High Court dated:02.12.2024 and upon hearing the arguments of M/s.UTTARA LEGAL Advocate for the Petitioners, directed issue of fresh notice to the Respondent herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Branch Manager, State Bank of India, Bazaar Branch,
Rajamahendravaram East Godavari District.

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 10.03.2025, on which date the case stands posted for hearing.

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 grant STAY of all further proceedings in R.P.No.84/2009 in O.A.No.101/2005, on the file of Debt Relief Tribunal, Visakhapatnam, in the interest of justice, pending disposal of WP No. 27318 of 2024, on the file of the High Court.

The Court made the following

ORDER:

“Fresh notice be issued for service upon the respondent.

Proof of service be filed on or before the next date of hearing.

Delete from the caption “For dismissal” and list on 10.03.2025.

Interim order granted earlier shall stand extended till the next date of hearing.”

Sd/- V. SAVITRI GOWRI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Branch Manager, State Bank of India, Bazaar Branch,
Rajamahendravaram East Godavari District. (by RPAD- along with a
copy of petition and memorandum of grounds)
2. One CC to M/s.UTTARA LEGAL, Advocate [OPUC]
3. **Two spare copies.**

HIGH COURT

HC,J & RC,J

DATED:27.01.2025

**DELETE FROM THE CAPTION "FOR DISMISSAL" AND LIST ON
10.03.2025**

NOTICE BEFORE ADMISSION

WP.No.27318 of 2024

INTERIM ORDER EXTENDED

