



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
WEDNESDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

HONOURABLE SRI JUSTICE A V SESA SAI

AND

HONOURABLE SMT JUSTICE SUMATHI JAGADAM

IA No. 2 OF 2023

IN

COMCA NO: 40 OF 2023

Between:

Movva Chandra Sekhar, S/o M. Sri Ramachandra Rao, Aged about 57 years,
Occ. Business, R/o D No. 9-19-4, CBM Compound, Visakhapatnam, A.P.

...Petitioner(s)

(Petitioner in COMCA 40 OF 2023
on the file of High Court)

AND

1. M/s Blue Nile Developers Private Limited, a company incorporated under the Companies Act, 1956, having its registered office at Plot No.69, Vittal Rao Nagar, Madhapur, Rangareddi, Hyderabad-500 081.
2. Vasant Makineni, S/o. Jaswant Mohan Makinni, aged about 46 years, Director, M/s. Blue Nile Developers Pvt Limited, R/o. 78 Meenakshi Bamboos, Survey No.39 Part, Opposite Ramky Towers, Serilingampally, K.V.Rangar, Hyderabad-500 032.
3. Chunduru Venkata Subba Rao, S/o Shri Ch. Venkata Rao, aged about 57 years, Director, Director, M/s. Blue Nile Developers Pvt Limited, R/o. Villa No.27, The Trails, Lanco Hill Road, Manikonda, Rajendra Nagar, Puppalaguda, Hyderabad-89.

...Respondent(s)

(Respondents in-do-)

**Counsel for the Petitioner : Sri Dammalapati Srinivas, counsel
representing Ms S Pranathi**

**Counsel for the Respondent : Sri N.Subba Rao, Senior counsel representing
Sri P Hemachandra**

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 respondents to extend the bank guarantee dated 30.12.2022 of State Bank of India, BHVP branch, Visakhapatnam which was furnished I.A No. 12 of 2022 in I.A no. 26 of 2020 in OS No. 2 of 2020, Pending disposal of COMCA No. 40 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

"Heard.

It is brought to the notice of this Court by Sri Dammalapati Srinivas, learned counsel representing Smt S.Pranati, learned counsel for the appellant that pending proceedings before the Special Court, Visakhapatnam, there was a direction against the respondents to furnish the Bank Guarantee and the said direction was subsisting.

On the other hand, Sri N.Subba Rao, learned Senior Counsel representing Sri P.Hemachandra, learned counsel for the respondents submits that in the event of losing the appeal, the appellant herein will have to bear the costs.

Taking the above submissions into consideration, there shall be a direction to the respondents to extend the Bank Guarantee, dated 30.12.2022 of State Bank of India, BHVP Branch, Visakhapatnam, for a period of three (03) months from today. It is however, made clear that in the event of an order being passed against the appellant in the appeal, the appellant herein will have to bear the costs suffered by the respondents"

Sd/- S.V.S.R.MURTHY
JOINT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. M/s Blue Nile Developers Private Limited, a company incorporated under the Companies Act, 1956, having its registered office at Plot No.69, Vittal Rao Nagar, Madhapur, Rangareddi, Hyderabad-500 081.
2. Vasant Makineni, S/o. Jaswant Mohan Makinni, aged about 46 years, Director, M/s. Blue Nile Developers Pvt Limited, R/o. 78 Meenakshi Bamboos, Survey No.39 Part, Opposite Ramky Towers, Serilingampally, K.V.Rangar, Hyderabad-500 032.
3. Chundurur Venkata Subba Rao, S/o Shri Ch. Venkata Rao, aged about 57 years, Director, Director, M/s. Blue Nile Developers Pvt Limited, R/o. Villa No.27, The Trails, Lanco Hill Road, Manikonda, Rajendra Nagar, Puppallaguda, Hyderabad-89. (Addressee nos.1 to 3 by RPAD)
4. One CC to Sri S Pranathi, Advocate [OPUC]
5. One CC to Sri P Hemachandra, Advocate [OPUC]
6. **Two spare copies.**

CVSS

HIGH COURT

AVSS,J &
JS,J

DATED:27/12/2023

POST ON 29.01.2024.

ORDER

IA No. 2 OF 2023
IN
COMCA NO: 40 OF 2023

DIRECTION

