



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3558]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

AND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.33637 of 2025

Between:

- 1.KURRA SUSILA, W/O KURRA MARUTHI SANKAR, AGED: 43 YEARS, OCC: HOUSEWIFE, R/O H.NO.43-106/1-52, THOTAVARI STREET, 6TH LANE, NANDAMURI NAGAR, AJITSINGH NAGAR, VIJAYAWADA - 15
- 2.KURRA MARUTHI SANKAR, S/O KURRA VENKATESWARA RAO, AGED: 49 YEARS, OCC: BUSINESS R/O H.NO.43-106/1-52, THOTAVARI STREET, 6TH LANE, NANDAMURI NAGAR, AJITSINGH NAGAR, VIJAYAWADA - 15

...PETITIONER(S)

AND

- 1.THE DEBT RECOVERY TRIBUNAL, REPRESENTED BY ITS CHAIRMAN, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.
- 2.STATE BANK OF INDIA, REP.BY ITS THE AUTHORIZED OFFICER, RETAIL ASSETS CENTRAL PROCESSING CENTER (RACPC)-I, 1ST FLOOR, KK TOWERS, M.G.ROAD, NEAR BENZ CIRCLE, VIJAYAWADA CITY, NTR DIST.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. M M M SRINIVASA RAO

Counsel for the Respondent(S):

1. S. SATYANARAYANA MOORTHY

The Court made the following:

**THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND**

THE HON'BLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.33637 of 2025

ORDER: *(Per Hon'ble Sri Justice Cheekati Manavendranath Roy)*

Heard Mr. M.M.M. Srinivasa Rao, learned counsel for the petitioners, and Mr. S. Satyanarayana Moorthy, learned Standing Counsel for the 2nd respondent-bank, who appeared on advance notice served on him.

2. The petitioners are the principal borrowers who availed loan from the 2nd respondent-bank. On account of the fact that they committed default in repayment of the loan amount, the 2nd respondent-bank has initiated measures under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the Act'), to take possession of the secured asset and to sell the same in the auction as per the e-auction notice dated 15.11.2025 issued by it. Challenging the said measures initiated by the 2nd respondent-bank under the Act, the petitioners have already approached the Debts Recovery Tribunal, Visakhapatnam, by way of filing S.A.No.689 of 2025 and they have also filed an

interlocutory application seeking stay of further proceedings relating to the measures initiated by the bank.

3. It is stated that the said interlocutory application seeking stay of further proceedings stood posted to 11.12.2025 for filing counter. The auction is scheduled to be held on 22.12.2025. Therefore, there is sufficient time for the petitioners to pursue their matter before the Tribunal.

4. So, as the petitioners have already approached the Debts Recovery Tribunal, which is the appropriate forum for redressal of their grievance, we are not inclined to interfere in the matter and entertain the writ petition as the same would amount to allowing the petitioners to maintain parallel proceedings before this Court and the Debts Recovery Tribunal, which is not permissible under law.

5. Learned counsel for the petitioners submits that the petitioners have also made a proposal for One-Time Settlement as per the letter addressed by them to the bank on 18.08.2025. A copy of the said letter is placed on record along with the material papers of the writ petition. But, the learned Standing Counsel for the 2nd respondent-bank submits, on instructions, that they did not receive any such proposal for One-Time Settlement.

6. Therefore, in the said facts and circumstances of the case, this writ petition can be disposed of directing the petitioners to pursue their remedy before the Debts Recovery Tribunal, where the S.A. filed by them along with interlocutory application is already pending, and also granting liberty to them to make a fresh application for One-Time Settlement within a period of one week from today.

7. Accordingly, this writ petition is disposed of with a direction to the petitioners to pursue their remedy before the Debts Recovery Tribunal, Visakhapatnam, where the S.A. and interlocutory application filed by them are pending adjudication. The petitioners are also at liberty to make a fresh application for One-Time Settlement within a period of one week from today and if any such application is made, the 2nd respondent-bank shall consider the same and pass appropriate orders on it.

As a sequel, interlocutory applications, if any pending, in this case shall stand closed. There shall be no order as to costs.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 03.12.2025
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Dt: 03.12.2025

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