

[3558]

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

**TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND**

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

IA No. 1 OF 2025

IN

WP NO: 33576 OF 2025

Between:

Perichrla Satyavathi, W/o. Tirumala Satyanarayana Raiu D.No. 3-14,
Kolamuru, Undi Mandal, West Godavari District.

Petitioner

AND

1. The Union of India, Ministry of Finance, Rep.by its Secretary, Sastry Bhavan, New Delhi.
2. Canara Bank, Akividu Branch, West Godavari District, Rep. by its. Divisional Manager-Cum- Authorised Officer Mr. Arumbaka Fancis, S/o.Immaniyaiu, Bhimavaram, West Godavari District.

Respondents

Counsel for the Petitioner: SRI SIVA RAMA KRISHNA KOLLURU

**Counsel for the Respondent No.1: SRI BACHINA HANUMANTHA RAO
(CENTRAL GOVT COUNSEL)**

Petition under Section 151 CPC is filed 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 pursuant to the order passed in CrI.M.P.No. 656 of 2025, dated 06-11-2025 on the file of

Chief Judicial Magistrate-Cum-Principal Senior Civil Judge, Eluru, West Godavari District, Pending disposal of WP No. 33576 of 2025, 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

Challenging the measures taken by the 2nd respondent-bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the petitioner has already approached the Debts Recovery Tribunal, Visakhapatnam, by filing S.A.No.22 of 2025 and the Debts Recovery Tribunal has granted stay of further proceedings, by order dated 15.01.2025 in I.A.No.103 of 2025, on condition of deposit of Rs.7,40,000/- and the petitioner has deposited the said amount in compliance with the said condition. But, subsequently, the said S.A. was dismissed for default on 27.06.2025. Thereafter, the petitioner has filed an application to restore the said S.A. onto the file of the Debts Recovery Tribunal along with an application to condone the delay in filing the said restoration application. The said applications are pending before the Debts Recovery Tribunal. In the meanwhile, again the bank has initiated measures and sought to take possession of the property today.

2. So, in the said facts and circumstances of the case, as already stay was granted by the Debts Recovery Tribunal and the applications filed for restoration of the S.A. and condonation of delay are pending before it, we deem it appropriate to stay further proceedings.

3. Therefore, there shall be interim stay of further proceedings pursuant to the order dated 06.11.2025 passed in Crl.M.P.No.656 of 2025

on the file of the learned Chief Judicial Magistrate-cum-Principal Senior Civil Judge, Eluru, West Godavari District, till the next date of hearing.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Finance, Sastry Bhavan, New Delhi.
2. The Divisional Manager-Cum- Authorised Officer Mr. Arumbaka Fancis, S/o.Immaniyaiu, Canara Bank, Akividu Branch, West Godavari District, Bhimavaram, West Godavari District.(1 to 2 By RPAD)
3. One CC to SRI. SIVA RAMA KRISHNA KOLLURU, Advocate [OPUC]
4. One CC to SRI. BACHINA HANUMANTHA RAO (CENTRAL GOVT COUNSEL) Advocate [OPUC]
5. One CC to Additional Solicitor General, High court of A.P [OPUC]
6. Two spare copies.

adp



HIGH COURT

CMR,J

&

GTK,J

DATED: 02/12/2025

LIST THE MATTER ON 30.12.2025.

ORDER

IA No. 1 OF 2025

IN

WP NO: 33576 OF 2025

INTERIM STAY

