

(SHOW CAUSE NOTICE BEFORE ADMISSION)

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WP NO: 16684 OF 2026

Between:

Hymavati Dasari, S/o Madhav Kali Prasad Dasari.

Petitioner

AND

1. Union of India, Represent by it's Secretary, Ministry of Finance, New Delhi
2. Reserve Bank of India (RBI), Represent by its Chief General Manager, 6-1-65, Secretariat Road, Saifabad, Hyderabad 500004.
3. HDFC Bank Ltd, Rep by its Chief manager, HDFC bank 5th Floor, Tower B, Peninsula Business Park, Lower Parel West, Mumbai 400013
4. L and T Finance Limited, Rep by its Chief Manager, Brindavan, Plot No. 177, C.S.T Road, Kalina, Mumbai, Maharashtra 400098
5. IDFC FIRST BANK LIMITED, Rep. by its Chief Manager, The Square, C-61, G Block Bandra-Kurla Complex, Bandra (East), Mumbai, Maharashtra, 400051
6. SMFG India Credit Company Ltd, Rep by its Chief Manager, 7th Floor, 703 and 704, Aditya Trade Center, Ameerpet, Hyderabad - 500038.
7. Epimoney Private Limited, FlexiLoans Rep by its Chief General Manager 4th Floor South Annexe Tower 2 One World Centre 841 Senapati Bapat Marg Lower Parel Mumbai Maharashtra 400 013

Respondents

WHEREAS the Petitioner above named through his Advocate SRI M. KESHAV YADAV 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 an appropriate Writ, Order, or Direction, more particularly in the nature of Writ of Mandamus, declaring the action of respondent Nos.3 to 7 in attempting to recover amounts from the petitioner in an arbitrary, illegal, and high-handed manner without following the due process of law and in blatant violation of the Reserve Bank of India Circular dated 12.08.2022 bearing No. RBI/2022-23/108, DOR.ORG.REC.65/21.04.158/2022-23, and

further declaring the inaction of respondent No.2 in enforcing the said Circular as unconstitutional and violative of Articles 14,19, and 21 of the Constitution of India, and consequently direct the respondent authorities to refrain from undertaking any coercive or unlawful recovery measures against the petitioner and to strictly comply with the due process of law and the aforesaid Circular in all recovery proceedings, and further restrain respondent Nos. 3 to 7 their agents, recovery agents, executives, managers, or any person acting on their behalf from engaging in any acts of intimidation, harassment, humiliation, or intrusion into the privacy of the petitioner or his family members, referees or friends, including persistent or anonymous calls, threatening messages, or physical visits to the petitioner's premises, and further direct respondent No. 2 to enforce the said RBI Circular in letter and spirit and to initiate appropriate and stringent action against the errant officials of respondent Nos. 3 to 7 for violating legal norms, and pending disposal of the writ petition, direct the respondent Nos. 3 to 7 not to resort to any coercive measures against the petitioner except through lawful means and in strict adherence to the Circular dated 12.08.2022.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of MR. M. KESHAV YADAV, Advocate for the Petitioner and MR. N. BHUJANGA RAO, DEPUTY SOLICITOR GENERAL OF INDIA for the Respondent no.1 directed issue of notice to the Respondents no. 2 to 7 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Chief General Manager, Reserve Bank of India (RBI), 6-1-65, Secretariat Road, Saifabad, Hyderabad 500004.
2. The Chief manager, HDFC Bank Ltd, HDFC bank 5th Floor, Tower B, Peninsula Business Park, Lower Parel West, Mumbai 400013
3. The Chief Manager, L and T Finance Limited, Brindavan, Plot No. 177, C.S.T Road, Kalina, Mumbai, Maharashtra 400098
4. The Chief Manager, Idfc First Bank Limited, The Square, C-61, G Block Bandra-Kurla Complex, Bandra (East), Mumbai. Maharashtra, 400051
5. The Chief Manager, SMFG India Credit Company Ltd, 7th Floor, 703 and 704, Aditya Trade Center, Ameerpet, Hyderabad - 500038.
6. The Chief General Manager, Epimoney Private Limited, FlexiLoans 4th Floor South Annexe Tower 2 One World Centre 841 Senapati Bapat Marg Lower Parel Mumbai Maharashtra 400 013.

are directed to show cause on or before 17.06.2026 to which date the case stands posted 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.

The Court made the following

ORDER:

Mr. N. Bhujanga Rao, learned Deputy Solicitor General of India takes notice for respondent No.1-Union of India and seeks time to get instructions in the matter.

Issue notice to the respondent Nos.2 to 7.

The learned counsel for the petitioner is permitted to take out personal notice to the respondent Nos.2 to 7 by Speed Post with Acknowledgement Due and file proof of service in the Registry.

The learned counsel for the petitioner submits that the matter is squarely covered by the order of this Court dated 25.04.2024 passed in W.P.No.5200 of 2024.

Having regard to the said submission of the learned counsel for the petitioner that the procedure adopted by the respondents concerned for recovery of loan amount from the petitioner, amounts to violation of the rights guaranteed under Articles 14 and 21 of the Constitution of India, this Court deems it appropriate to direct the respondents to ensure that the agents engaged by them for recovery of the loan amounts, shall strictly follow the guidelines and instructions issued by the Reserve Bank of India in Circular No. RBI/2022-23/108 (DOR.ORG.REC.65/21.04.158/2022-23), dated 12.08.2022 and also the judgments of the Hon'ble Supreme Court in *ICICI Bank Ltd. Vs. Prakash Kaur and others* reported in (2007) 2 SCC 711 and *ICICI Bank Vs. Shanti Devi Sharma and others* reported in (2008) 7 SCC 532.

List on 17.06.2026.

Sd/- A.JAYASREE
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Ministry of Finance, Union of India, New Delhi.[BY SPAD]
2. The Chief General Manager, Reserve Bank of India (RBI), 6-1-65, Secretariat Road, Saifabad, Hyderabad500004.
3. The Chief manager, HDFC Bank Ltd, HDFC bank5th Floor, Tower B, Peninsula Business Park, Lower Parel West, Mumbai 400013
4. The Chief Manager, L and T Finance Limited, Brindavan, Plot No. 177, C.S.T Road, Kalina, Mumbai, Maharashtra 400098
5. The Chief Manager, Lfc First Bank Limited, The Square, C-61, G Block Bandra-Kurla Complex, Bandra (East), Mumbai.Maharashtra, 400051
6. The Chief Manager, SMFG India Credit Company Ltd, 7th Floor, 703 and 704, Aditya Trade Center, Ameerpet, Hyderabad - 500038.
7. The Chief General Manager, Epimoney Private Limited, FlexiLoans 4th Floor South Annexe Tower 2 One World Centre 841 Senapati Bapat Marg Lower Parel Mumbai Maharashtra 400 013.
(Addressees 2 to 7 BY SPAD along with a copy of petition and affidavit)
8. One CC to SRI M. KESHAV YADAV Advocate [OPUC]
9. One spare copy

HIGH COURT

GMM, J

DATED: 14-05-2026

LIST ON 17.06.2026.



NOTICE BEFORE ADMISSION

WP.No.16684 of 2026

DIRECTION