

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TWENTY SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 32438 OF 2025

Between:

Devarasetty Siva Ganga Nagar Sasank, S/o Devarasetty Kasi Viswanadham
Aged about 35 years, Occ. Private Emp, H.No. 314 Lakshmi Narasimha
Residency, Janapadu Road, oxford school lane, Janapadu, Palnadu, Andhra
Pradesh - 522413

...PETITIONER

AND

1. The Union of India, Rep. by its Secretary, Ministry of Finance, New Delhi
2. The Reserve Bank of India, Rep. by its Chief Chief Mangaer, 6, Sansad Marg, New Delhi -110001
3. HDFC BANK Ltd, Rep by its Chief Manager PN 26, 33/A8634/B, Gr Fir, Delta House, Sy No 68, Allivvyn Cross Road, Miyapur, Hyderabad - 500049
4. RBL Bank Limited, Rep by its Chief Manager Shop no 54/10 and 54/11 Ground floor Chanda Nagar Hyderabad Telangana 500050
5. SBI Cards and Payments Services Limited SBI Card, Rep by its General Manager, Unit No's 3C 3D and 3E 3rd Floor, Queens Plaza SP Road Secunderabad, Telangana 500003
6. Bajaj Finance Limited, Rep by its Chief Manager, 4th Floor Bajaj Finsery Corporate Office, Off Pune Ahmednagar Road, Viman Nagar Pune 411 014
7. Bank of Baroda Financial solutions Limited., Rep. by its Chief Manager, 2nd Floor, Baroda. House, Behind Dewan Shopping Centre, Jogeshwari - West, Mumbai, MH 400102
8. Early Salary Services Pvt Ltd, Rep. by its Chief Manager, 404, The Chambers Near Ganpati Mandir Chowk, (Samrat, Chowk), Viman Nagar Rd, Pune, Maharashtra 411014

...RESPONDENTS

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 one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not controlling the agents who harassing the petitioner and his family by the respondents No. 3 to 8 (bank authorities and financial institutions) is illegal, arbitrary, violation of the principles of natural justice and blatant violation and as

well as Rules framed under Reserve Bank of India and the fundamental rights guaranteed under the Constitution of India consequently direct the respondents not to harass the petitioner and his family members on the ground of collecting the monthly installment dues and direct respondent no. 3 to 8 follow Circular dated 12/08/2022 vide RBI/2022-23/108, DOR.ORG. REC.65/21.04.158/2022-23 issued by respondent no.2

Counsel for the Petitioner: SRI. M. KESHAV YADAV

**Counsel for the Respondent Nos. 1&2: SRI N. BHUJANGA RAO
DY. SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent Nos. 3to8:--

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.32438 of 2025

ORDER:

Heard Sri M.Keshav Yadav, learned counsel for the petitioner, learned Deputy Solicitor General of India, for respondent Nos.1 and 2.

2. Despite service of notice, none appeared for remaining respondents.

3. When the matter is taken up for hearing, learned counsel for petitioner submitted that the issue raised in this Writ Petition is squarely covered by the order passed by this Court in W.P.No.5200 of 2024, dated 25.04.2024 and therefore, the same order may be passed in this writ petition as well. The operative portion of the said order reads as under:

"8. For the aforesaid reasons and as the procedure adopted by the respondent Nos.4 to 7 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 and also the judgments of the Hon'ble Supreme Court in **ICICI Bank Ltd Vs. Prakash Kaur's** case (1 supra) and **ICICI Bank Vs. Shanti Devi Sharma's** case (2 supra).

9. With the above said direction, the writ petition is disposed of."

4. Learned Deputy Solicitor General of India has no objection.

5. Accordingly, in terms of the order passed by this Court in W.P.No.5200 of 2024, dated 25.04.2024, and for the reasons alike, this writ

petition is disposed of directing the respondent authorities and their agents to scrupulously follow the guidelines/instructions issued by the Reserve Bank of India in its Circular dated 12.08.2022 and also the judgments of Hon'ble Supreme Court in **ICICI Bank Ltd. v. Prakash Kaur**¹s case and **ICICI Bank v. Shanti Devi Sharma**²s case, while recovering the loan amounts from the petitioner. No costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/-AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Secretary, Union of India, Ministry of Finance, New Delhi
2. The Chief Manager, Reserve Bank of India, 6, Sansad Marg, New Delhi - 110001
3. One CC to SRI. M. KESHAV YADAV, Advocate [OPUC]
4. One CC to SRI. N. BHUJANGA RAO, DY.SOLICITOR GENERAL OF INDIA [OPUC]
5. Two CD Copies
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SA
BM

¹ (2007) 2 SCC 711

² (2008) 7 SCC 532

HIGH COURT

DATED:27/11/2025

ORDER

WP.No.32438 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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