

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND**

**THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR
WRIT PETITION NOS: 40594 AND 40595 OF 2025**

WRIT PETITION NO: 40594 OF 2025

Between:

1. M/s. Venagro, a Partnership Firm, represented by its Managing Partner, Mr. VenuAkula, aged 48 years, Occ. Business, R/o. Flat No. 618 - 619, Sundaram Building, Rama Raja Nagar, Suchitra, Jeedimetla, Quthbullapur, Ranga Reddy District - 500055.
2. Mr. VenuAkula, S/o. Late Narayana Akula, aged 48 years, Occ. Business, R/o. Flat No. 618 - 619, Sundaram Building, Rama Raja Nagar, Suchitra, Jeedimetla, Quthbullapur, Ranga Reddy District - 500055.
3. Mr. Tunki Narender Rao, Residing at. H.No. 5-64, Age-82, Adarsh Nagar Colony, Lingampally, Serilingampally, Hyderabad, Telangana - 500019.
4. Mr. TunkiRaghavender Rao, S/o. T. Narender Rao, Residing at. H.No. 5-64, Age-54, Adarsh Nagar Colony, Lingampally, Serilingampally, Hyderabad, Telangana - 500019.
5. Mrs. Prathima Akula, W/o. VenuAkula, aged 42 years, R/o. Flat No. 618 - 619, Sundaram Building, Rama Raja Nagar, Suchitra, Jeedimetla, Quthbullapur, Ranga Reddy District - 500055.

...Petitioners

AND

1. Kotak Mahindra Bank Limited, Represented by its Authorised officer, 3rd Floor, Jewel Pawani Towers, Rajbhavan Road, Somajiguda, Hyderabad - 500082.
2. Mr. K. Rohit Reddy, Residing at Villa No. 160, Palm Meadows, Kompally, Hyderabad -500014.
3. The Reserve Bank of India, Rep. by its Governor, Central Office, Shahid Bhagat Singh Marg, Mumbai - 400001.

...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:-

- (a) issue a Writ of Certiorari or any other appropriate writ, order or direction, quashing and setting aside the final common order dated 18.11.2025 passed by the Debts Recovery Appellate Tribunal, Kolkata, in Appeal No. 40 of 2025 and Appeal No. 51 of 2025, and consequently restore and uphold the order dated 11.03.2025 passed by the Debts Recovery Tribunal-II, Hyderabad in S.A. No. 395 of 2023
- (b) declare that the classification of the Petitioners' loan account as a Non-Performing Asset and the measures initiated by Respondent No. 1 under Sections 13(2) and 13(4) of the SARFAESI Act are illegal, arbitrary and in violation of the mandatory directions contained in the RBI Resolution Framework 1.0 dated 06.08.2020, Resolution Framework 2.0 dated 05.05.2021, and the MSME Notification dated 29.05.2015.
- (c) declare that the auction sale conducted on 20.12.2023 and the sale certificate dated 23.01.2024 issued in favour of Respondent No. 2 are illegal, void and unenforceable. and consequently direct Respondent Nos. 1 and 2 to restore possession and status of the secured assets to the Petitioners, if possession has been disturbed or transferred pursuant to the impugned sale proceedings,
- (d) Declare that the continued inaction of Respondent No. 3 in failing to consider and decide the Petitioner's representation dated 16.05.2024, made against Respondent No. 1 for its non-compliance with the mandatory RBI Resolution Framework 1.0 dated 06.08.2020, Resolution Framework 2.0 dated 05/05/2021, and the MSME Notification dated 29.05.2015, amounts to abdication of statutory and regulatory duties, is arbitrary and unconstitutional, and has caused grave prejudice to the Petitioner.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation and effect of the impugned final common order dated 18.11.2025 passed by the Debts Recovery Appellate Tribunal, Kolkata, in Appeal No. 40 of 2025 and Appeal No. 51 of 2025, pending disposal of WP.No.40594 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No. 3 to consider the Petitioner's representation dated 16.05.2024 against Respondent No. 1 Bank, as per the law, pending disposal of WP.No.40594 of 2025, on the file of the High Court.

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent Nos. 1 and 2 not to alienate, encumber, transfer, or create any manner of third-party interest, and not to change the nature or character of the schedule properties covered under the Sale Certificate dated 23.01.2024 issued in favour of Respondent No. 2, pending disposal of WP.No.40594 of 2025, on the file of the High Court.

WRIT PETITION NO: 40595 OF 2025

Between:

1. M/s. Sriven Marketing, a Sole Proprietor Concern, represented by its Proprietor Mr. VenuAkula, aged 48 years, Occ. Business, R/o. Flat No. 618 - 619, Sundaram Building, Rama Raja Nagar. Suchitra, Jeedimetla, Quthbullapur. Ranga Reddy District - 500055.
2. Mr. VenuAkula, S/o. Late Narayana Akula, aged 48 years, Occ. Business. R/o. Flat No. 618 -619, Sundaram Building, Rama Raja Nagar, Suchitra. Jeedimetla, Quthbullapur, Ranga Reddy District -500055.
3. Mr. Tunki Narender Rao, residing at H.No. 5-64, Age 82,Adarsh Nagar Colony, Lingampally, Serilingampally, Hyderabad, Telangana -500019.
4. Mr. TunkiRaghavender Rao, S/o. T. Narender Rao, Age 54,residing at H.No. 5-64, Adarsh Nagar Colony, Lingampally, Serilingampally, Hyderabad, Telangana -500019.
5. Mrs. Prathima Akula, w/o. VenuAkula, aged 42 years, R/o. Flat No. 618 -619, Sundaram Building, Rama Raja Nagar, Suchitra, Jeedimetla, Quthbullapur, Ranga Reddy District -500055.

...Petitioners

AND

1. Kotak Mahindra Bank Limited, Represented by its Authorised officer, 3rd Floor, Jewel Pawani Towers, Rajbhavan Road, Somajiguda, Hyderabad - 500082.
2. Mr. K. Rohit Reddy, Residing at Villa No. 160, Palm Meadows, Kompally, Hyderabad -500014.
3. The Reserve Bank of India, Rep. by its Governor, Central Office, Shahid Bhagat Singh Marg, Mumbai - 400001.

...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:-

- (a) issue a Writ of Certiorari or any other appropriate writ, order or direction, quashing and setting aside the final common order dated 18.11.2025 passed by the Debts Recovery Appellate Tribunal, Kolkata, in Appeal No. 39 of 2025 and Appeal No. 52 of 2025, and consequently restore and uphold the order dated 11.03.2025 passed by the Debts Recovery Tribunal-II, Hyderabad in S.A. No. 395 of 2023.
- (b) declare that the classification of the Petitioners' loan account as a Non-Performing Asset and the measures initiated by Respondent No. 1 under Sections 13(2) and 13(4) of the SARFAESI Act are illegal, arbitrary and in violation of the mandatory directions contained in the RBI Resolution Framework 1.0 dated 06.08.2020, Resolution Framework 2.0 dated 05.05.2021, and the MSME Notification dated 29.05.2015.
- (c) declare that the auction sale conducted on 20.12.2023 and the sale certificate dated 23.01.2024 issued in favour of Respondent No. 2 are illegal, void and unenforceable and consequently direct Respondent Nos. 1 and 2 to restore possession and status of the secured assets to the Petitioners, if possession has been disturbed or transferred pursuant to the impugned sale proceedings,
- (d) Declare that the continued inaction of Respondent No. 3 in failing to consider and decide the Petitioner's representation dated 16.05.2024, made against Respondent No. 1 for its non-compliance with the mandatory RBI Resolution Framework 1.0 dated 06.08.2020, Resolution Framework 2.0 dated 05.05.2021, and the MSME Notification dated 29.05.2015, amounts to abdication of statutory and regulatory duties, is arbitrary and unconstitutional, and has caused grave prejudice to the Petitioner;

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation and effect of the impugned final common order dated 18.11.2025 passed by the Debts Recovery Appellate Tribunal, Kolkata, in Appeal No. 39 of 2025 and Appeal No. 52 of 2025, pending disposal of WP.No.40595 of 2025, on the file of the High Court.

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No. 3 to consider the Petitioner's representation dated 16.05.2024 against Respondent No. 1 Bank, as per the law, pending disposal of WP.No.40595 of 2025, on the file of the High Court.

IA NO: 4 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent Nos. 1 and 2 not to alienate, encumber, transfer, or create any manner of third-party interest, and not to change the nature or character of the schedule properties covered under the Sale Certificate dated 23.01.2024 issued in favour of Respondent No. 2., pending disposal of WP.No.40595 of 2025, on the file of the High Court.

These petitions coming on for hearing, upon perusing the Petitions and the affidavits filed in support thereof and the order of the High Court dated: 05.01.2026 made herein and upon hearing the arguments of SRI. R. SAMEER AHMED Advocate for the Petitioners in both the petitions, SRI. JAYANTH NAIDU Advocate for the Respondent No.1 in both the petitions and SRI. VIVEK JAIN Advocate for the Respondent No.2 in both the petitions, the Court made the following.

ORDER:

Learned counsel appearing for the petitioners seeks extension of the limited interim protection order passed by this Court on 05.01.2026.

All the respondents are represented.

List these matters on 10.02.2026 for 'final hearing'.

The interim order is extended till 28.02.2026.

**SD/-MOHD.ISMAIL
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. R. SAMEER AHMED, Advocate [OPUC].
2. Two spare copies

HIGH COURT

MBJ & GPKJ

DATED:20/01/2026

LIST THESE MATTERS ON 10.02.2026 FOR 'FINAL HEARING'.

ORDER

WRIT PETITION NOs: 40594 AND 40595 OF 2025

INTERIM ORDER EXTENDED

