

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

**TUESDAY, THE SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

WRIT PETITION NO: 43860 OF 2017

Between:

Sagar Infra Rail International Ltd, Rep by its Mg. Dir. Mr., K. Udayananada Reddy S/o. Rama Reddy, Aged about 58 Years No. 5-67, APIE, Balanagar Hyderabad - 500037, Telangana State.

...PETITIONER

AND

1. Union of India, Rep. by its Secretary Finance, New Delhi.
2. M/s. ICICI Bank Ltd. Rep. By its Chairman & Managing, Director ICICI Bank Towers, Bandra-Kurla Complex, Mumbai-400051
3. M/s. ICICI Bank Ltd. Rep. By its Manager, ICICI Bank, Towers, 2nd floor, North Wing, Tower-III, plot no. 12, Nanakramguda, Hyderabad-32..

...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 a Writ, order or more particularly one in the nature of writ of MANDAMUS declaring the Respondents proceedings under C.C.277 of 2017 on the file of Hon'ble XV Additional District Sessions Judge, XV Metropolitan Sessions Judge Kukatpally pending disposal of the proceedings under O.A. 1203 of 2017 (Old no. 963 of 2015) on the file of the Debt Recovery Tribunal-II Hyderabad, is not only illegal, arbitrary, unlawful, unconstitutional and against to the principles of natural justice.

I.A. NO: 1 OF 2017(WPMP. NO: 54391 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the proceedings of the C.C. 277 of 2017 on the file of Hon'ble XV Addl. District Sessions Judge, XV MSJ Kukatpally filed by the respondents pending disposal of the writ petition.

Counsel for the Petitioner: SRI. V VENKATA KUMAR(NOT PRESENT)

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR DY.
SOLICITOR GENERAL OF INDIA**

Counsel for the Respondent Nos.2&3: SRI AMBADIPUDI SATYANARAYANA

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.43860 of 2017

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

None for the petitioner.

2. In this writ petition, the petitioner has assailed the validity of action of the respondents in initiating proceedings under Section 138 of the Negotiable Instruments Act, 1881, in C.C.No.277 of 2017 pending before the XV Additional District and Sessions Judge, Kukatpally, *inter alia*, on the ground that simultaneously the respondents-Bank has initiated the proceedings before the Debts Recovery Tribunal vide O.A.No.1203 of 2017.

3. The writ petition is pending before this Court since 2017 in which no interim order has been passed. Therefore, the writ petition is disposed of with liberty to the petitioner to revive the same in case the proceedings in C.C.No.277 of 2017 are pending before the XV Additional District and Sessions Judge, Kukatpally.

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Miscellaneous petitions, pending if any, stand closed.

There shall be no order as to costs.

//TRUE COPY//

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary Finance, Union of India, New Delhi
2. One CC to SRI. V VENKATA KUMAR Advocate [OPUC]
3. One CC to SRI AMBADIPUDI SATYANARAYANA Advocate [OPUC]
4. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India [OPUC]
5. Two CD Copies

KKS
BSK

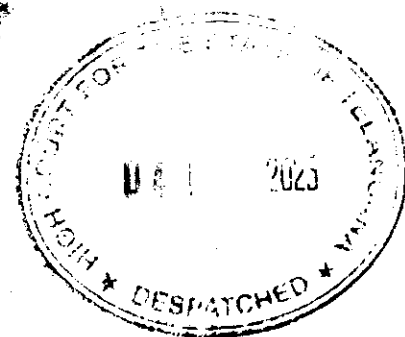
Kp.

HIGH COURT

DATED:07/01/2025

ORDER

WP.No.43860 of 2017



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(7)

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30/1/25