

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.17304 OF 2019

ORDER: (per SK,J)

The petitioners are aggrieved by the order dated 06.08.2019 passed by the Debts Recovery Tribunal-I, Hyderabad, in I.A.No.2215 of 2019 in O.A.No.173 of 2018. O.A.No.173 of 2018 was filed by the State Bank of India and other banks under Section 19 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993, now re-named as the Recovery of Debts and Bankruptcy Act, 1993. The petitioners were amongst the array of the respondents in the said O.A. They filed I.A.No.2215 of 2019 alleging that the Debts Recovery Tribunal-I, Hyderabad, lacked jurisdiction and sought transfer of the case to the file of the Debts Recovery Tribunal-II, Hyderabad. By the docket order dated 06.08.2019, the Tribunal dismissed the I.A.

2. Sri Tarun G. Reddy, learned counsel for the petitioners, would contend that in terms of the Notification dated 25.01.2017 issued by the Department of Financial Services, Ministry of Finance, Government of India, published in the Gazette of India dated 25.01.2017, the areas of jurisdiction of the Debts Recovery Tribunal-I, Hyderabad, and the Debts Recovery Tribunal-II, Hyderabad, have been demarcated and in terms thereof, the subject I.A. could not have been filed by the consortium of banks, including the State Bank of India, Stressed Assets Management Branch-II, H.No.3-4-1013/A, First Floor, Commuter Amenity Centre, TSRTC, Kachiguda, Hyderabad, before the Debts Recovery Tribunal-I, Hyderabad.

3. It may be noted that in terms of the area of jurisdiction demarcated in the aforestated notification in relation to the Debts Recovery Tribunal-I, Hyderabad, Himayathnagar is one of the areas in Hyderabad District which finds mention. It is not in dispute that the O.A. was filed by six banks led by the State Bank of India through its Stressed Assets Management Branch-II at Kachiguda.

4. To clarify the issue as to whether Kachiguda would come within Himayathnagar, the learned Government Pleader for Revenue, State of Telangana, was asked to get instructions. He thereupon placed before this Court the statement showing the particulars of Himayathnagar Mandal, areas/localities issued by the Tahsildar of Himayathnagar Tahsil, Hyderabad District.

5. Perusal thereof reflects that House Nos.3-4-1 to 3-4-260 and 3-4-450 up to the end in Kachiguda area are also included in Himayathnagar Mandal. As already noted supra, the address of the Assets Management Branch of the State Bank of India at Kachiguda is shown as House No.3-4-1013/A which would obviously be covered by the aforestated statement.

6. In that view of the matter, the contention of the learned counsel that Kachiguda would not come within Himayathnagar cannot be countenanced. We therefore find no merit in the assertion by the petitioners that the Debts Recovery Tribunal-I, Hyderabad, lacks jurisdiction. The order passed by the Tribunal holding to this effect therefore does not warrant interference.

7. The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

P.KESHAVA RAO,J

Date:19.08.2019

GJ/PGS

