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

WEDNESDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

**PRESENT**

**THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION NOS: 16559 & 20906 OF 2018**
**AND**
**12819, 13483, 13497, 13498, 13508, 13517 & 13520 OF 2019**

**WP NO: 16559 OF 2018**

**Between:**

1. M/s. Indu Projects Ltd., Rep. by its Chairman and Managing Director I. Syam Prasad Reddy, 1009, Indu Fortune Fields, 13th Phase, KPHB Colony, Hyderabad - 500072.
2. I. Syam Prasad Reddy, S/o. late I. Venku Reddy, Aged about 57 years, O/o. M/s. Indu Projects, 1009, Indu Fortune Fields, 13th Phase, KPHB Colony, Hyderabad - 500072.
3. B.V. Bhaskar Reddy, S/o. B. Mar Reddy, Aged about 51 years, Villa No. 234, Indu Fortune Fields Orchid.. Villas KPHB Colony, Hyderabad - 500 072.
4. B. Mar Reddy, S/o. Late B. Prakash Reddy, Aged about 79 years, Villa No. 234 Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072.
5. Smt. I. Sundari, W/o. I. Syam Prasad Reddy, Aged about 53 years, Plot No. 973/A, Nr. Chirec Public School, Road No. 49, Jubilee Hills Hyderabad - 500 033.
6. Smt. I. Shankaramma, W/o. I. Venku Reddy, Aged about 79 years, Plot No. 973/A, Nr. Chirec Public School, Road No. 49, Jubilee Hills Hyderabad - 500 033.
7. B. Mahender Reddy, S/o. Mr. Shou Reddy, Aged about 46 years Villa No. 188, Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072,

...**PETITIONERS**

**AND**

1. State Bank of India, Rep. by its Deputy General Manager, Stressed Assets Management Branch, Secunderabad, 5th Floor, Rear Block of HMWSSB Compound, 6-2-915, Khairatapad, Hyderabad - 500004.
2. Wilful Defaulter Identification Committee, Rep. by its Chairman, State Bank of India, Corporate Office, State Bank Bhavan Corporate Center, 16th Floor, Madam Cama Road, Mumbai - 400 021.
3. Wilful Defaulter Review Committee, Rep. by its Chairman, State Bank of India, Corporate Office, State Bank Bhavan Corporate Center, 16th Floor, Madam Cama Road, Mumbai - 400 021.

...**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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the respondents in including the names of the petitioners in the list of Wilful Defaulters and forwarding the same to the Credit Information Companies (CICs) basing on the decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to act in accordance with law

**IA NO: 1 OF 2018**

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 direct the 1st respondent to recall the list forwarded to the Credit Information Companies (CICs) wherein

the names of the petitioners have been included in pursuance to its letter dated 19.04.2018 in Nos.SAMB/SEC/CSS/73 to 78, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SRI AMBADIPUDI SATYANARAYANA**

**Counsel for Respondent Nos. 2 & 3: ---**

**WP NO: 20906 OF 2018**

**Between:**

1. M/s.Indu Projects Ltd, Rep. by its Chairman and Managing Director I. Syam Prasad Reddy, No. 1009, Indu Fortune Fields, 13th Phase, KPHB Colony, Hyderabad - 500072.
2. I. Syam Prasad Reddy, S/o. late I. Venku Reddy, Aged about 57 years, O/o. M/s. Indu Projects, No. 1009, Indu Fortune Fields, 13th Phase, KPHB Colony, Hyderabad - 500072.
3. B.V. Bhaskar Reddy, S/o. B. Mar Reddy, Aged about 51 years, Villa No. 234 Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072
4. B. Mar Reddy, S/o. Late B. Prakash Reddy Aged about 79 years, Villa No. 234 Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072
5. Smt. I. Shankaramma, W/o. I. Venku Reddy, Aged about 79 years, Plot No. 973/A, Nr. Chirec Public School Road No. 49, Jubilee Hills Hyderabad - 500 033.

...**PETITIONERS**

**AND**

1. Punjab National Bank, Large Corporate Branch, 8-2-672, Sufi Chambers, Road No.1, Banjara Hills, Hyderabad - 500034. Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee, Rep. by its Chairman, Punjab National Bank, Head Office. 7, Bhikaji Cama Place, New Delhi - 110607.
3. Wilful Defaulter Review Committee, Rep. by its Chairman, Punjab National Bank, Head Office. 7, Bhikaji Cama Place, New Delhi - 110607.

...**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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in including the names of the petitioners in the list of Wilful Defaulters and forwarding the same to the Credit Information Companies (CICs) basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the names of the petitioners from the list of willful defaulters

**IA NO: 1 OF 2018**

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 direct the 1st respondent to recall the list forwarded to the Credit Information Companies (CICs) wherein the names of the petitioners have been included as willful defaulters, as shown in the website of the 1st petitioner, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SRI K. RAGHAVENDRA RAO**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO.12819 OF 2019:**

**Between:**

1. I. Syam Prasad Reddy, S/o. late I. Venku Reddy, Aged about 57 years, R/o. Plot No.973/A, Road No.49, Jubilee Hills, Hyderabad - 500033.
2. I. Sundari, W/o. I. Syam Prasad Reddy, Aged about 50 years, R/o. Plot No.973/A, Road No.49, Jubilee Hills, Hyderabad - 500033.
3. B. Mar Reddy, S/o. Late B. Prakash Reddy Aged about 79 years, Villa No. 234 Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072.
4. B.V. Bhaskar Reddy, S/o. B. Mar Reddy, Aged about 51 years, Villa No. 234 Indu Fortune Fields Orchids Villas KPHB Colony, Hyderabad - 500 072.

...PETITIONERS

**AND**

1. Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1St Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1g Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1g Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

...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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the Pt respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 including the names of the petitioners in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the names of the petitioners from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 whereby the petitioners have been declared as willful defaulters under the Master Circular of the RBI dated 01.07.2015, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13483 OF 2019**

**Between:**

M/s. Cyberabad Hitech Integrated Township Development Corporation Private Limited, Represented by its Director, I. Dayakar Reddy No. 1009, 13th Phase, Indu Fortune Fields KPHB Colony, Kukatpally, Hyderabad - 500 072.

...PETITIONER

**AND**

1. Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.

2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, Ist Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

...**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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01.07.2015, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13497 OF 2019**

**Between:**

M/s. V K Projects Private Limited, Represented by its Director, I. Dayakar Reddy No. 1009, 13th Phase, Indu Fortune Fields KPHB Colony, Kukatpally, Hyderabad - 500 072.

...**PETITIONER**

**AND**

1. Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, Ist Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 15 Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

...**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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal,

arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref. No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01.07.2015, pending disposal of the Writ Petition, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13498 OF 2019**

**Between:**

M/s. Sindhura Properties Private Limited, Represented by its Director, I. Dayakar Reddy No. 1009, 13th Phase, Indu Fortune Fields KPHB Colony, Kukatpally, Hyderabad - 500 072.

**...PETITIONER**

**AND**

1. Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2,1 Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

**...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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01/06/2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01/07/2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref. No.HLCB/ADV/NPA/2019-20/14 dated 01/06/2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01/07/2015, pending disposal of the Writ Petition.

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13508 OF 2019**

**Between:**

M/s. Astitva Realtors Private Limited, Represented by its Director, I. Dayakar Reddy No. 1009, 13th Phase, Indu Fortune Fields KPHB Colony, Kukatpally, Hyderabad - 500 072.

**...PETITIONER**

**AND**

1. Bank of India, Hyderabad Large Corporate Branch. 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch.10-1-1199/2, 1st Floor,PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India,Hyderabad Large Corporate Branch. 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

**...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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref. No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01.07.2015, pending disposal of the Writ Petition, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13517 OF 2019**

**Between:**

M/s. Sundari Theme Ventures Private Limited, Represented by its Director, I. Dayakar Reddy, No. 1009, 13th Phase, Indu Fortune Fields, KPHB Colony, Kukatpally, Hyderabad - 500 072

**...PETITIONER**

**AND**

1. Bank Of India, Hyderabad Large Corporate Branch.10-1-1199/2, I st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.

2. Wilful Defaulter Identification Committee, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 15t Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, Ist Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

...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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01/06/2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents acting under the Master Circular of the Reserve Bank of India dated 01/07/2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref. No.HLCB/ADV/NPA/2019-20/14 dated 01/06/2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01/07/2015, pending disposal of the Writ Petition, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**WP NO: 13520 OF 2019**

**Between:**

M/s. Lepakshi Knowledge Hub Private Limited, Represented by its Director, I. Karunakar Reddy Sy.No.35/2, 35/1 Part, 1st Cross, Ananthapura, Singanayakahalli Post, Yelahanka, Bengaluru - 560064, Karnataka State.

...PETITIONER

**AND**

1. Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004, Rep. by its Deputy General Manager.
2. Wilful Defaulter Identification Committee,, Rep. by its Executive Director, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1st Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. Wilful Defaulter Review Committee,, Bank of India, Hyderabad Large Corporate Branch 10-1-1199/2, 1St Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.

...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 of Mandamus or any other appropriate Writ, Order or Orders, direction or Directions to declare the action of the 1st respondent in its proceedings in Ref.No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 including the name of the petitioner in the list of willful defaulters basing on the alleged decision of the 2nd and 3rd respondents

acting under the Master Circular of the Reserve Bank of India dated 01.07.2015 as illegal, arbitrary, violative of natural justice and to set aside the same and to direct the respondents to delete the name of the petitioner from the list of willful defaulters

**IA NO: 1 OF 2019**

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 suspend the proceedings of the 1st respondent in Ref. No.HLCB/ADV/NPA/2019-20/14 dated 01.06.2019 whereby the petitioner has been declared as willful defaulters under the Master Circular of the RBI dated 01.07.2015, pending disposal of the Writ Petition

**Counsel for the Petitioners: SRI VEDULA SRINIVAS**

**Counsel for Respondent No. 1: SMT. V. DYUMANI**

**Counsel for Respondent Nos. 2 & 3: -----**

**The Court made the following: COMMON ORDER**

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**W.P.Nos.16559, 20906 of 2018 & 12819, 13483, 13497, 13498, 13508, 13517,13520 of 2019**

**COMMON ORDER:**

Since the issue involved in all these writ petitions is one and the same, all are heard together and disposed of by this common order.

In all these writ petitions, the petitioners, who are the Directors of the Companies, as well as the Companies have obtained loans from various banks and the banks have declared them as wilful defaulters which is contrary to the Master Circular issued by the Reserve Bank of India (RBI) dated 01.07.2015. Challenging the same, the present writ petitions are filed.

Learned counsel for the petitioners contends that a procedure has been prescribed by RBI by way of Master Circular dated 01.07.2015 and the respondents without following the same have declared the petitioners as wilful defaulters. He further contends that similar issue was considered by the Hon'ble Supreme Court in ***State Bank of India vs. M/s.Jah Developers Pvt. Ltd***[1] and held that the wilful defaulters would be identified by the Wilful Defaulters Identifying Committee and later the case would be dealt by the Wilful Defaulters Review Committee who inturn must give opportunity to the affected persons and thereafter declare the individuals as wilful defaulters. But the respondents without

[1] (2019) 6 SCC 787

following the law laid down by the Hon'ble Supreme Court in M/s.Jah Developers Pvt. Ltd., referred supra declared the petitioners as wilful defaulters. Therefore, he contends that impugned orders in all these writ petitions be set aside and let the respondents strictly follow the Master Circular dated 01.07.2015 issued by RBI and also the law laid down by the Hon'ble Supreme Court in the judgment stated supra and pass appropriate orders.

Learned Standing counsel appearing for the respondents contends that the cases of he petitioners would be considered in terms of the Master Circular dated 01.07.2015 issued by RBI and also in terms of the judgement rendered by the Hon'ble Supreme Court stated supra and appropriate orders would be passed in accordance with law.

This Court, having considered rival submissions of the learned counsel appearing for respective parties, is of the considered view that all these writ petitions are liable to be allowed and impugned orders whereby the petitioners were declared as wilful defaulters are liable to be set aside and accordingly they are set aside, as the petitioners are declared as wilful defaulters without following the Master Circular dated 01.07.2015 and also without following the judgment rendered by the Hon'ble Supreme Court stated supra. The respondents are directed to strictly follow the Master Circular dated 01.07.2015 issued by RBI and also law laid down by the Hon'ble Supreme Court in the judgment stated supra and

initiate fresh proceedings against the petitioners in accordance with law.

Accordingly, all these writ petitions are allowed. No costs.

Miscellaneous petitions, if any pending in these matters shall stand disposed of.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble The Acting Chief Justice Sri Raghvendra Singh Chauhan, on this Wednesday, the Nineteenth day of February, Two Thousand and Twenty.

**Sd/- B. SATYAVATHI**
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

**To,**

1. The Deputy General Manager, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1St Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad – 500004.
2. The Executive Director, Wilful Defaulter Identification Committee, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1g Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
3. The Wilful Defaulter Review Committee, Bank of India, Hyderabad Large Corporate Branch, 10-1-1199/2, 1g Floor, PTI Building, A.C. Guards, Masab Tank, Hyderabad - 500004.
4. The Deputy General Manager, State Bank of India, Stressed Assets Management Branch, Secunderabad, 5th Floor, Rear Block of HMWSSB Compound, 6-2-915, Khairatapad, Hyderabad - 500004.
5. The Chairman, Wilful Defaulter Identification Committee, State Bank of India, Corporate Office, State Bank Bhavan Corporate Center, 16th Floor, Madam Cama Road, Mumbai - 400 021.
6. The Chairman, Wilful Defaulter Review Committee, State Bank of India, Corporate Office, State Bank Bhavan Corporate Center, 16th Floor, Madam Cama Road, Mumbai - 400 021.
7. The Deputy General Manager, Punjab National Bank, Large Corporate Branch, 8-2-672, Sufi Chambers, Road No.1, Banjara Hills, Hyderabad – 500034.
8. The Chairman, Wilful Defaulter Identification Committee, Punjab National Bank, Head Office, 7, Bhikaji Cama Place, New Delhi - 110607.
9. The Chairman, Wilful Defaulter Review Committee, Punjab National Bank, Head Office, 7, Bhikaji Cama Place, New Delhi – 110607
10. One CC to Sri Vedula Srinivas, Advocate (OPUC)
11. One CC to Smt. V. Dyumani, Advocate (OPUC)
12. One CC to Sri Ambadipudi Satyanarayana, Advocate (OPUC)
13. One CC to Sri K. Raghavendra Rao, Advocate (OPUC)
14. Two CD Copies

MBC

HIGH COURT

AKS,J

DATED: 19/02/2020




COMMON ORDER

WRIT PETITION NOS: 12819, 13520, 16559, 20906, 13483, 13497, 13498 OF 2019
AND
13508 & 13517 OF 2018

ALLOWING THE WRIT PETITION AT THE

STAGE OF ADMISSION, WITHOUT COSTS

15
20/4/2020.