

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

**THURSDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO.16808 OF 2014

Between:

M/s.Victory Electricals Ltd, Plot No.8, Survey No.855, IDA, Medchal, Ranga Reddy
Dist, Hyderabad - 501 401 Rep. by its Managing Director, Sri Mahindra Vaddineni

...PETITIONER

AND

1. Bank of Baroda, Grievance Redressal Committee Baroda Corporate Centre, BKC, Bandra (East), Mumbai - 400 051 Rep. by The Chairman and Managing Director.
2. Bank of Baroda, Corporate Financial Services Hyderabad Branch, 3-6-262/2, Tirumala Estates 1st Floor, Himayatnagar Hyderabad - 500 029

...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 grant an order, direction or a writ, more so in the nature of Writ of Mandamus, declaring the impugned proceedings of the 2nd Respondent Bank Dated 21.05.2014 declaring Petitioner Company as Wilful Defaulter to deprive the purpose and scope of proceedings in Case No.10/2013 pending before the Hon'ble BIFR, New Delhi as illegal, arbitrary, highhanded and violative of Section 22 of SICA, 1985 and violative of Reserve Bank circular No.RBI/2013-14/63 dated 1.07.2013 apart from being violative of Article 14 of the Constitution of India and consequently set aside the proceedings dated 21.05.2014 of 2nd respondent declaring the petitioner company as wilful defaulter.

I.A. NO: 1 OF 2014(WPMP. NO: 20879 OF 2014)

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 impugned proceedings Dated 21.05.2014 of the 2nd Respondent.

Counsel for the Petitioner: SRI T. BALA MOHAN REDDY

Counsel for the Respondent No.1: SRI SRINIVAS CHITTURU

Counsel for the Respondent No.2: --

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.16808 of 2014

ORDER:

The prayer as sought for by the petitioner in the present writ petition reads as under:

"To issue an order writ or direction more particularly one in nature of writ of MANDUMUS declaring the Impugned proceedings of the 2nd Respondent Bank Dated 21.05.2014 declaring Petitioner Company as Wilful Defaulter to deprive the purpose and scope of proceedings in Case No.10/2013 pending before the Hon'ble BIFR. New Delhi as illegal, arbitrary, highhanded and violative of Section 22 of SICA, 1985 and violative of Reserve Bank circular No. RBI/2013-14/63 dated 01.07.2013 apart from being violative of Article 14 of the Constitution of India and consequently set aside the proceedings dated 21.05.2014 of 2nd respondent declaring the petitioner company as wilful defaulter."

2. It is represented by learned counsel appearing on behalf of the respondents that National Company Law Tribunal, Chennai, had passed an order dated 19.11.2019 bringing the petitioner

company into liquidation and therefore, the cause of action in the present writ petition does not survive for adjudication.

3. Bringing the said submission on record, the present writ petition is dismissed as infructuous. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-V. HARI PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI T. BALA MOHAN REDDY, Advocate [OPUC]
2. One CC to SRI SRINIVAS CHITTURU, Advocate [OPUC]
3. Two CD Copies |

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HIGH COURT

DATED:23/11/2023



ORDER

WP.No.16808 of 2014

**DISMISSING THE WRIT PETITION
AS INFRACTUOUS
WITHOUT COSTS**

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15/12/23