

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 36751 OF 2022

Between:

1. Mr. Ritesh Kumar Agarwal, S/o. Upender Kumar Agarwal, R/o. 8-2-293/82/J-3/26, Road No. 78, Jubilee Hills, Shaikpet, Hyderabad-500033.
2. Mr. Upender Kumar Agarwal, S/o. Basudev Agarwal, R/o. 8-2-293/82/J-3/26, Road No. 78, Jubilee Hills, Shaikpet, Hyderabad-500033.
3. Mrs. Usha Bhai Agarwal, W/o. Shri Upender Kumar Agarwal, R/o. 8-2-293/82/J-3/26, Road No. 78, Jubilee Hills, Shaikpet, Hyderabad-500033.

...Petitioners

AND

1. Axis Bank Limited, Represented by its Deputy General Manager, Corporate Banking Branch at Door No.6-3-879/B, First Floor, G. Pulla Reddy Building, Green Lands, Begumpet Road, Hyderabad-500016.
 2. Axis Bank Limited, Willful Defaulter Identification Committee Members, Corporate Banking Branch at Door No. 6-3-879/B, First Floor, G. Pulla Reddy Building, Green Lands, Begumpet Road, Hyderabad - 500016
 3. Axis Bank Limited, Willful Defaulter Review Committee Members, Corporate Banking Branch at Door No. 6-3-879/B, First Floor, G. Pulla Reddy Building, Green Lands, Begumpet Road, Hyderabad - 500016.
- RR 2 and 3 are impleaded as per C.O. dt.05.12.2022 in I.A.No.3/2022.

...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 any Writ Order or Direction more particularly one in the nature of Writ of Certiorari quashing the ex-parte orders if any passed by the Willful Defaulter Identification Committee (Second Respondent herein) of Respondent Bank and the Consequential orders if any passed by Willful Defaulter Review Committee (Third Respondent herein) of Respondent bank and to pass Prayer is amended as per C.O. dated.05.12.2022, in I.A. No.4/2022.

LA NO: 2 OF 2022

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 of all further proceedings initiated by Respondent (if any) classifying the Petitioners as Willful Defaulter.

LA NO: 6 OF 2022

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 implead the

proposed 4th Respondent as necessary and proper party in this Writ Petition No. 36751 of 2022 as well as an I.A.Nos. 1 to 5 of 2022.

Counsel for the Petitioners: SRI. S RAJAGOPALAN

Counsel for the Respondents: V V S N RAJU

The Court made the following:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION No.36751 OF 2022

ORDER:

Heard learned counsel for the petitioner and Sri V.V.S.N.Raju, learned counsel appearing for respondents – Bank. Perused the record.

2. This writ petition is filed to quash the ex-parte orders if any passed by 2nd respondent/Willful Defaulter Identification Committee and the consequential orders if any passed by 3rd respondent/Willful Defaulter Review Committee.

3. In paragraph No.6 of the counter filed by the respondents, it is specifically mentioned that the writ petitioners were declared as defaulters but not as willful defaulters.

In view of the said submission, the grievance of the petitioners is redressed.

Therefore, this writ petition is closed. As a sequel, miscellaneous petitions, if any, pending shall stand closed.

**SD/- P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI S RAJAGOPALAN Advocate [OPUC]
2. One CC to SRI V. V. S. N. RAJU Advocate [OPUC]
3. Two CD Copies

HIGH COURT

KL, J

DATED: 04/01/2023

ORDER

WP.No.36751 of 2022



**WRIT PETITION IS
CLOSED WITHOUT COSTS**