APHC010309862025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3332]
(Special Original Jurisdiction)

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT:THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 16218/2025

Between:

1. PUPPALA UREKHA SRI, D/O PANDURAGARAO, FEMALE, AGE 32 YEARS, OCC BUSINESS, D.NO.41-13-13, PALAPARTHI VARI STREET, NALLA GATE DOWN, KRISHNALANKA, VIJAYAWADA (URBAN), NTR DISTRICT. ANDHRA PRADESH.
2. BHUMA SAI SANDEEP, S/O.RAVI CHANDRA BABU, MALE, AGE 32 YEARS, OCC BUSINESS, R/O.D.NO.41-22/2-61, MALERIA HOSPITAL ROAD, KRISHNA LANKA, VIJAYAWADA (URBAN), NTR DISTRICT. ANDHRA PRADESH.

...PETITIONER(S)

AND

1. UNION OF INDIA, REP. ITS SECRETARY, MINISTRY OF FINANCE, JEEVAN DEEP BUILDING 3RD FLOOR, PARLIAMENT STREET, NEW DELHI-110001.
2. RESERVE BANK OF INDIA, REP.BY ITS GOVERNOR, SANSAD MARG, NEW DELHI - 110001.
3. STATE BANK OF INDIA, REP BY ITS AUTHORIZED OFFICER, SBI CARDS PAYMENT SERVICES LTD, DLF INFINITY TOWERS, TOWER C, 12TH FLOOR, BLOCK 2, BUILDING 3, DLF CYBER CITY, GURGAON - 122002 (HARYANA).
4. AXIS BANK LTD, REP BY ITS AUTHORIZED OFFICER, TRISHUL, OPP SAMARTHESWAR TEMPLE, NEAR LAW GARDEN, ELLISBRIDGE, AHMEDABAD.
5. THE BAJAJ FINSERV, REP BY ITS AUTHORIZED OFFICER, CORPORATE OFFICE IS LOCATED AT 6TH FLOOR, BAJAJ

FINSERV CORPORATE OFFICE, OFF PUNE-AHMEDNAGAR ROAD, VIMAN NAGAR, PUNE - 411014.

6. THE BAJAJ FINANCE LTD, REP BY ITS AUTHORIZED OFFICER, CORPORATE OFFICE IS LOCATED AT 6TH FLOOR, BAJAJ FINSERV CORPORATE OFFICE, OFF PUNE-AHMEDNAGAR ROAD, VIMAN NAGAR, PUNE-411014.

7. RBL BANK LIMITED, REP BY ITS AUTHORIZED OFFICER, CARDS OPERATING CENTRE, UNIT 306 -311, 3RD FLOOR, JMD MEGAPOLIS, SOHNA ROAD, SECTOR - 48, GURUGRAM - 122 018, FLARYANA

8. YES BANK LTD, REP BY ITS AUTHORIZED OFFICER, YES BANK TOWER, IFC - 2, 15TH FLOOR, SENAPATI BAPAT MARG, ELPHINSTONE (W), MUMBAI 400 013,

9. INDUSIND BANK LTD, REP BY ITS AUTHORIZED OFFICER, BUILDING 7, SOLITAIRE CORPORATE PARK CHAKALA, ANDHERI, MUMBAI - 400093.

10. CRED CASH DREAMPLUG TECHNOLOGIES PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, AT NO. 769 AND 770, 100 FEET ROAD, 12TH MAIN, HAL 2ND STAGE, INDIRANAGAR, BANGALORE, KARNATAKA - 560038.

11. FINNOVATION TECH SOLUTIONS PRIVATE LIMITED, OPERATES AS KREDITBEE, REP BY ITS AUTHORIZED OFFICER, 4TH FLOOR, ANJANEYA TECHNO PARK, NO. 147, HAL OLD AIRPORT ROAD, ISRO COLONY, KODIHALLI, BENGALURU-560008, KARNATAKA.

12. FATAKPAY DIGITAL PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, GROUND FLR,OFFICE NO.L, TECHNOPOLIS KNOWLEDGE PARK, MAHAKALI CAVES RD, NELCO COMPLEX, ANDHER-I, EAST MUMBAI CITY MAHARASHTRA.

13. STASHFIN, , POWERED AND OPERATED BY, AKARA CAPITAL ADVISORS PRIVATE LIMITED REP BY ITS AUTHORIZED OFFICER, UNIT NOS. 1801-1805, 1806A, 1806B, 1807A, 1807B AND 1815, 18TH FLOOR, MAGNUM GLOBAL PARK 2, GOLF COURSE EXT ROAD SECTOR 58, GURGAON -122011.

14. MONEY VIEW PRIVATE LIMITEDS, REP BY ITS AUTHORIZED OFFICER, REGISTERED OFFICE ADDRESS IS 17/1, 1ST AND 2ND FLOOR, THE ADDRESS BUILDING, OUTER RING ROAD, MARATHAHALLI, KADUBEESANAHALLI, BANGALORE - 560103.

15. ONE MOBIKWIK SYSTEMS LIMITED MOBIKWIK, REP BY ITS AUTHORIZED OFFICER, HAVING ITS REGISTERED OFFICE SITUATED AT. UNIT NO. 102, 1ST FLOOR, BLOCK-B, PEGASUS ONE, GOLF COURSE ROAD, SECTOR-53, GURUGRAM, HARYANA-122003.

16. PREFR PVT LTD, REP BY ITS AUTHORIZED OFFICER, 2ND FLOOR, BLOCK 2, MY HOME HUB, HITECH CITY RD, HYDERABAD, TELANGANA 500081.

17. BALANCEHERO INDIA PRIVATE LIMITED, (TRUEBALANCE) REP BY ITS AUTHORIZED OFFICER, OFFICE LOCATED AT 5TH FLOOR, HUDA CITY CENTRE, SECTOR-29, GURUGRARN, HARYANA- 122001.

18. OLYV SMART COIN PVT LTD, REP BY ITS AUTHORIZED OFFICER, INDIQUBE GAMMA, NO. 293/154/172, 2ND FLOOR, OUTER RING ROAD, KADUBEESANAHALLI, BENGALURU, KARNATAKA 560103.

19. MONEYMITRA IT SOLUTIONS PRIVATE LIMITED RUPEEREDEE, REP BY ITS AUTHORIZED OFFICER, 7TH FLOOR, VATIKA TRIANGLE, MEHRAULI-GURGAON ROAD, BLOCK B, SUSHANT LOK PHASE I, GURUGRARN, HARYANA - 122002.

20. NAVI FINSERV LIMITED, REP BY ITS AUTHORIZED OFFICER, OFFICE IS LOCATED AT 2ND FLOOR, VAISHNAVI TECH SQUARE, IBALLUR VILLAGE, BEGUR HOBLI, BENGALURU, KARNATAKA, INDIA, 560102.

21. NOBROKER TECHNOLOGIES SOLUTIONS PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, GROUND FLOOR, SURVEY NO 103, INDIQUBE -THE FORE, VARTHUR, CARMELARAM, BANGALORE- 560035.

22. FIBE SOCIAL WORTH TECHNOLOGIES PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, UNIT NO. 404, THE CHAMBERS,

VIMAN NAGAR, PUNE, MAHARASHTRA 411014.

23. LAKARA TECHNOLOGIES OPC PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, 2ND FLOOR, UNIT B-205, SUPREME BUSINESS PARK, HIRANANDANI GARDENM, LAKE CASTLE, POWAI, MUMBAI CITY, MUMBAI, MAHARASHTRA-400076.

24. BHARAT LOAN COMPANY LIMITED, REP BY ITS AUTHORIZED OFFICER, CLUB ROAD, P 0 SILCHAR, SILCHAR, ASSAM- 788001, INDIA.

25. PAYTM LIMITED, REP BY ITS AUTHORIZED OFFICER, AT 136, 1ST FLOOR, DEVIKA TOWER, NEHRU PLACE, NEW DELHI - 110019.

26. MONEY TAP BEING OPERATED BY, MWYN TECH PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, G-405, 4TH FLOOR, GAMMA BLOCK, SIGMA SOFT TECH PARK, VARTHUR KODI, WHITEFIELD POST, BANGALORE - 560 066, KARNATAKA.

27. ADITYA BIRLA CAPITAL LTD, REP BY ITS AUTHORIZED OFFICER, ONE WORLD CENTRE, TOWER 1, 18TH FLOOR, JUPITER MILL COMPOUND,. 841, SENAPATI BAPAT MARG, ELPHINSTONE ROAD, MUMBAI 400 013.

28. VIVIFI INDIA FINANCE PVT LTD FLEXSALARY, REP BY ITS AUTHORIZED OFFICER, UNIT-A, 9TH FLOOR, MJR MAGNIFIQUE, SURVEY NO.75 AND 76,KHAJAGUDA X ROADS, RAIDURGAM, HYDERABAD, TELANGARIA-500008

29. R K BANSAL FINANCE PRIVATE LIMITED RAM FINCORP, REP BY ITS AUTHORIZED OFFICER, 8/9 WEA, PUSA ROAD, KAROL BAGH, NEW DELHI 110005.

30. INSTAMONEY TECHNOLOGY PRIVATE LIMITED, REP BY ITS AUTHORIZED OFFICER, H-55, FIRST FLOOR SECTOR-63, NOIDA, GAUTAM BUDDHA NAGAR, UP 201301.

31. PIRAMAL CAPITAL AND HOUSING FINANCE LIMITED, REP BY ITS AUTHORIZED OFFICER, 4TH FLOOR, PIRAMAL TOWER, PENINSULA CORPORATE PARK, GANPATRAO KADAM MARG, LOWER PAREL, MUMBAI - 400013.

32. GROWCAP CREDITWISE PRIVATE LIMITED FLOT, REP BY ITS AUTHORIZED OFFICER, WINDSOR TOWER, PLOT BEARING NO. F-1, 3RD FLOOR, SECTOR-6, NOIDA-201301.

...RESPONDENT(S):

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 topleased to issue appropriate Writ, Order or direction more particulalry one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents 3 to 32 for resorting to illegal methods for recovery of amounts from the Petitioner without following due process of law as arbitrary, without Jurisdiction, exfacie illegal against Art. 19, 21 300-A of the Constitution of India and to direct the Respondents No.l 2 to take appropriate action against theb Respondents No.3 to 32 for violating the procedure of law for recovery of amounts due rom Petitioner by consequently restraining the Respondents 3 to 32 from resorting to any illegal methods for recovery of amounts from the Petitioner without following due process of law for recovery of the amounts due from the Petitioner and to pass

IA NO: 1 OF 2025

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 Pleased It is also just and necessary that this Hon'ble Court may be direct the Respondents No.3 to 32 not to resort to any illegal methods for recovery of amounts from the Petitioners without following due process of law for recovery of the amounts due from the Petitioners; pending disposal of the above Writ Petition pending disposal of the above writ petition and to pass

IA NO: 1 OF 2026

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 pleased to grant leave by condoning the delay to the Petitioner/Respondent No. 4 in the Writ Petition No. 16218 of 2025 for filing the counter affidavit in the in the above writ petition and pass

IA NO: 2 OF 2026

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 pleased to grant leave by condoning the delay to the Petitioner/Respondent

No. 8 in the Writ Petition No. 16218 of 2025 for filing the counter affidavit in the in the above writ petition and pass

Counsel for the Petitioner(S):

1. DEVALARAJU ANIL KUMAR

Counsel for the Respondent(S):

1. S SATYANARAYANA MOORTHY
2. BOPPUDI ALEKHYA
3. B M KRISHNA PATIBANDLA
4. SRICHARAN TELAPROLU
5. DASAM DURGA SHIVA SAI
6. CHALASANI AJAY KUMAR
7. VARAPRASAD NEPPALI
8. KUNUKU RAJA SEKHAR
9.
10. K.VENKATA SIVA SATISH

The Court made the following:

ORDER

This Writ Petition is filed questioning the action of the respondent nos.3 to 32/banks in harassing the petitioners and their family members by sending loan recovery agents to the house of the petitioner, by making continuous phone calls and humiliating them in front of neighbours without following the guidelines issued by Reserve Bank of India vide Memo No.RBI/2022-23/108, dated 12.08.2022.

2. Heard Sri Anilkumar Devalaraju, learned counsel for petitioners, Sri Kunuku Rajasekhar, learned Standing Counsel for respondent no.4 bank, Sri Dasam Durga Shiva Sai, learned counsel for respondent nos. 5 & 6, Sri Chalasani Ajay Kumar, learned counsel for respondent no.3, Ms.Boppudi Alekhya, learned counsel for respondent no.11, Sri P.B.M.Krishna, learned counsel for respondent no.27, Sri N.Vara Prasad, learned counsel for respondent nos. 12 & 23, Sri S.Satyanarayana Moorthy, learned counsel for respondent no.1, Sri K.V.S.Satish, learned counsel for respondent no.32, Sri Kunuku Rajasekhar, learned counsel for respondent no.8, Sri Saicharan Telaprolu, learned counsel for respondent no.25 and Sri N.Vara Prasad, learned counsel for respondent no.9.

3. Perused the record and considered the submissions made by the learned counsel for the parties.

4.The Hon'ble Apex Court ***in ICICI Bank Ltd. V. Prakash Kaur and others***[1] has categorically held that the practice of hiring recovery agents, who are musclemen, is deprecated and needs to be discouraged. The Bank should resort to procedure recognized by law if the borrower have committed default in payment of the installments instead of taking resort to strong arm tactics. However, as the respondents contend that they never sent agents and they have an intention to follow law for recovery, there is no purpose in

[1] (2007) 2 SCC 711 n

keeping the writ petition pending, as such, this Court is inclined to dispose of the writ petition.

5. In view of the above, respondent nos.3 & 4 should resort to procedure recognized by law if the borrower have committed default in payment of the installments instead of taking resort to strong arm tactics.

6. So far as respondent nos.5 to 32 are concerned, in **S. Shobha v. Muthoot Finance Ltd.**[2], the Hon'ble Supreme Court of India ruled that a writ petition under Article 226 of the Constitution is not maintainable against a private non-banking financial company (NBFC) or private commercial entities. Therefore, this writ petition filed against respondent nos.5 to 32 is not maintainable and the petitioner is at liberty to pursue his remedies by approaching appropriate Forum.

7. Accordingly, the writ petition is ***disposed of.*** However, the respondent nos.3 & 4 are not precluded to take steps in accordance with law for recovery of money, if any, payable by the petitioner. Further, the petitioner is at liberty to approach appropriate Forum for getting his grievance redressed against respondent nos.5 to 32. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

13th October, 2026
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[2].(2025 INSC 117)