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

TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 12420 OF 2026

Between:

Ashish Kumar Gupta, S/0. Sunil Kumar Gupta Aged 32 Years, Occ. Private Employee, H. No. 248 Floor - 1 Road No. 5a, Near HMT Colony Vedri Township, Miyapur, Medchal Malkajgiri Telangana - 500049.

...PETITIONER

AND

1. The Union of India, Rep. by its Secretary, Ministry of Finance, New Delhi
2. The Reserve Bank of India,, Rep. by its Chief General Manager, 6, Sansad Marg, New Delhi -110001
3. Bandan Bank, 1-8-155/A, Beggum Nayyar Road, Innovation Colony, Jogani, Ramgopalpet, Hyderabad - 500003, Telangana, India.
4. ICICI BANK, Branch SOL ID 1112-ICICI Bank Ltd., D. No-1- 121/dt/26/33/A and 34B/, Delta House, Plot No-26, 33/A, 34/A, Sy No. 68, Dist. Rangareddy, Hyderabad -500049, Telangana
5. Aditya Birla Capital Limited, Bhupal Towers, 6-3-1086, Raj Bhavan Rd, Somajiguda, Hyderabad, Telangana 500082.
6. SMFG India Credit 7th Floor, Aditya Trade Center, Kumar Basti, Srinivasa Nagar, Ameerpet, Hyderabad, Telangana 500038
7. MUTOOT FINANCE, Plot No. 106 and 107, Navketan Building, S D Road, Hyderabad - 500003, Telangana.
8. Piramal Finance, Door No 3-5-900/1, Aparajitha Arcade, 2nd Floor, Old MLA Quarters Raod, above Vijetha Super Markets, Himayatnagar, Hyderabad - 500 029, Hyderabad, Telangana 500029
9. SBI BANK (CREDIT CARD), Bank St, Troop Bazaar, Koti, Hyderabad, Telangana 500001
10. ICICI BANK (CREDIT CARD), NSL Arena, ICICI Bank Ltd., NSL SEZ (Hyderabad) Pvt Ltd Ground Floor Tower 2, IT/ITes situated at, Uppal, Hyderabad, Telangana 500013

11. FEDRAL BANK (CREDIT CARD), 6/2/953, No 101, 1st Fir, krishna plaza, opposite Shadan College, Anand Nagar Colony, Khairtabad, Hyderabad, Telangana 500004
12. IDFC FIRST BANK (CREDIT BANK), Ground Floor, Al-Samad Complex, No 3-6-12/3-6-13, opposite TTD Temple, Himayatnagar, Hyderabad, Telangana 500029

...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 Writ, Order or Direction, more particularly one like Writ of Mandamus Declaring the action of the respondent Nos.3 to 7 in high handedly, arbitrarily and illegally trying to recover the amounts from the petitioner by not following Circular dated 12.08.2022 vide RBI/2022-23/108, DOR.ORG.REC.65/ 21.04.158/2022-23 issued by respondent no.2 or any due process of law and the inaction of the respondent no.2 to legitimately protect the interest of the petitioner by duly enforcing Circular dated 12.08.2022 vide RBI/ 2022-23/108, OR.ORG.REC.65/21.04.158/2022-23 as illegal, arbitrary and unconstitutional for violating Art 14, 19, and 21 of the Constitution of India and consequently Direct the respondent no.2 to duly enforce the Circular dated 12.08.2022 vide RBI/2022-23/108, DOR.ORG. REC.65/ 21.04.158/2022-2 to protect the interests of the petitioner against the respondent nos.3 to 12.

I.A. 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 to direct the respondent nos. 3 to 12 not to take any coercive measures against the petitioner without following due process of law and mandatorily following Circular dated 12.08.2022 vide R31/2022-23/108, DOR. ORG.REC.65/21.04.158/2022-2 issued by respondent no.2 pending disposal of the writ petition.

Counsel for the Petitioner : SRI G.VENKAT RATNAM GOUD
Counsel for the Respondent No.1&2 : SRI N.V.R.RAJYA LAKSHMI
(SC FOR CENTRAL GOVT) rep.,
SRI N.BHUJANGA RAO,
Dy.Solicitor General Of India
Counsel for the Respondent No.3to12 : --
The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No.12420 of 2026

Dated: 21.04.2026

Between:

Sri Ashish Kumar Gupta

...Petitioner

AND

The Union of India & others

...Respondents

ORDER:

Sri G. Venkat Ratnam Goud, learned counsel for the petitioner and Smt. NVR. Rajyalakshmi, learned Standing Counsel for Central Government representing Sri N. Bhujanga Rao, learned Deputy Solicitor General of India, for respondent No.1.

2. When the matter is taken up for hearing, learned counsel for petitioner submitted that the issue raised in this Writ Petition is squarely covered by the order passed by this Court in W.P.No.18913 of 2024, dated 22.08.2024 and therefore, the same order may be passed in this writ petition as well. The operative portion of the said order reads as under:

> "8. In view of the above circulars, this Court deems it appropriate to direct the respondents to ensure that the agents engaged by them for recovery of the loan amounts, shall strictly follow the guidelines and instructions issued by the Reserve

Bank of India and also the judgments of the Hon'ble Supreme Court in **ICICI Bank Ltd Vs. Prakash Kaur's** case (1 supra) and **ICICI Bank Vs. Shanti Devi Sharma's** case (2 supra).

9. With the above direction, the writ petition is disposed of. No costs."

3. Learned Standing Counsel for respondent No.1 has no objection.

4. Accordingly, in terms of the order passed by this Court in W.P.No.18913 of 2024, dated 22.08.2024, and for the reasons alike, this Writ Petition is disposed of directing the respondent authorities and their agents to scrupulously follow the guidelines/instructions issued by the Reserve Bank of India in its Circular dated 12.08.2022 and also the judgments of Hon'ble Supreme Court in **ICICI Bank Ltd. v. Prakash Kaur'**[1]s case and **ICICI Bank v. Shanti Devi Sharma'**[2]s case, while recovering the loan amounts from the petitioner. No costs.

Miscellaneous petitions, if any pending, shall stand closed.

SD/- T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Finance, New Delhi
2. The Chief General Manager,Reserve Bank of India, 6, Sansad Marg, New Delhi -110001
3. The Bandan Bank, 1-8-155/A, Beggum Nayyar Road, Innovation Colony, Jogani, Ramgopalpet, Hyderabad - 500003, Telangana, India.
4. The ICICI BANK, Branch SOL ID 1112-ICICI Bank Ltd., D. No-1-121/dt/26/33/A and 34B/, Delta House, Plot No-26, 33/A, 34/A, Sy No. 68, Dist. Rangareddy, Hyderabad -500049, Telangana

[1] (2007) 2 SCC 711
[2] (2008) 7 SCC 532

5. The Aditya Birla Capital Limited, Bhupal Towers, 6-3-1086, Raj Bhavan Rd, Somajiguda, Hyderabad, Telangana 500082.
6. The SMFG India Credit 7th Floor, Aditya Trade Center, Kumar Basti, Srinivasa Nagar, Ameerpet, Hyderabad, Telangana 500038
7. The MUTOOT FINANCE, Plot No. 106 and 107, Navketan Building, S D Road, Hyderabad - 500003, Telangana.
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13. One CC to SRI G.VENKAT RATNAM GOUD, Advocate. [OPUC]
14. One CC to SRI N.BHUJANGA RAO, Deputy Solicitor General of India, High Court for the State of Telangana at Hyderabad. [OPUC]
15. Two CD Copies.

BSK

GJP

HIGH COURT

DATED: 21/04/2026



ORDER

WP.No.12420 of 2026

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

17 MT
28/4/26