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

FRIDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SRI JUSTICE GADI PRAVEEN KUMAR

WRIT PETITION NO: 37145 OF 2025

Between:

M/S Bhavani Restaurant Et Bar, Rep by its Prop Mr Y Ramakrishna, S/o. late Y Pentaiah, Aged about 49 years, Occ . Business R/o H.No.18-7-595/5/B/1-2-3 Uppuguda Station Road Chatrinaka Hyderabad 500053

...PETITIONER

AND

Andhra Pradesh Mahesh Co-Op Urban bank Ltd, Represented by its Authorised officer H.O D. No 8-2-680/1 & 2 Road No 12 Banjara Huila Hyderabad 500034

...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 in the nature of Mandamus, declaring the impugned Orders Dt 30/06/2025 passed in IA No 311/2025 in Appeal Dy No 409/2025 directing the petitioner to deposit 35percent of Rs 1.00 Crores as pre-deposit within four weeks and consequential Order Dt 06/08/2025 dismissing Appeal Dy No 409/2025 for non-compliance of Orders Dt 30/06/2025 passed in IA No 311/2025 in Appeal Dy No 409/2025, as illegal and set-aside the same by allowing IA No 311/2025 in Appeal Dy No 409/2025 on the file of Honourable Debts Recovery Appellate Tribunal Kolkatta.

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 to direct the respondent bank, not to deliver the possession of the auction property to the auction purchaser pending disposal of the present Writ Petition.

IA NO: 2 OF 2025

Between:

M/S Bhavani Restaurant Et Bar, Rep by its Prop Mr Y Ramakrishna S/o. late Y Pentaiah Aged about 49 years, Occ . Business RIO H.No 18-7-595/5/B/1-2-3 Uppuguda Station Road Chatrinaka Hyderabad 500053

...WRIT PETITIONER

AND

1. Andhra Pradesh Mahesh Co-Op Urban bank Ltd, Represented by its Authorised officer H.O D. No 8-2-680/1 a2 Road No 12 Banjara Huila Hyderabad 500034

...RESPONDENTS

2. Smt. Yeerekar Vijayalaxmi, W/o: Yeerekar Rajkumar, Aged about 56 years, R/o: 18 5.306, Outside Aliabad, Shamsjeergunj Hyderabad 500053

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 Respondent as Writ Respondent No. 2 in the above Writ Petition No. 37145 of 2025 as well as all pending Interlocutory Applications.

Counsel for the Petitioner: SRI G. K. DESHPANDE

Counsel for the Respondent: METTU SRINIVAS REDDY

The Court made the following: ORDER

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HON'BLE JUSTICE GADI PRAVEEN KUMAR

WRIT PETITION No.37145 OF 2025

DATE: 13.02.2026

Between:

M/s. Bhavani Restaurant & Bar

... Petitioner

And

Andhra Pradesh Mahesh Co-operative Urban Bank Limited,
Rep. by its Authorised Officer

...Respondent

Ms. S.J.A. Nadeem, learned counsel representing Mr. G.K. Deshpande, learned counsel appearing for the petitioner.

Mr. Mettu Srinivas Reddy, learned counsel appearing for the respondent.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. Learned counsel appearing for the petitioner seeks permission of the Court to withdraw the Writ Petition, with liberty to file a fresh Writ Petition on the ground that the petitioner has not included all the material facts in the present Writ Petition.

2. The respondent is represented.

3. Permission is accorded.

4. W.P.No.37145 of 2025 is accordingly dismissed as withdrawn, granting liberty to the petitioner to file a fresh Writ Petition. All connected applications are disposed of. There shall be no order as to costs.

SD/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri G. K. Deshpande, Advocate [OPUC]
2. One CC to Sri Mettu Srinivas Reddy Advocate [OPUC]
3. Two CD Copies

T J
BS

HIGH COURT

DATED:13/02/2026



ORDER

WP.No.37145 of 2025

DISMISSING THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

06/03/26