

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY ONE
:PRESENT:



THE HONOURABLE SRI JUSTICE AHSANUDDIN AMANULLAH
AND
THE HON'BLE SRI JUSTICE B.KRISHNA MOHAN
WRIT PETITION NO: 11463 OF 2021

Between:

STCI FINANCE LIMITED, Company under the Companies Act, 1956, Registered office at- A/B1-802, A Wing, 8th Floor, Marathon Innova, Off Ganpatrao Kadam Marg, Lower Parel (W), Mumbai – 400013

Branch office at- 401, 412, Prakash Deep Building, 7, Tolstoy Marg, New Delhi - 110001. Rep by its Asst. General Manager, Mr. Rajesh Khanna

...Petitioner

AND

1. Union of India Rep. by The Secretary, Department of Revenue, North Block, New Delhi - 110001.
2. The Assistant Commissioner, Central Tax, Tirupati GST Division, 15-30/4, Padmavathi Nagar, Mahila University Road, Tirupati, 517502, Andhra Pradesh.
3. The Collector and District Magistrate, Collectorate Complex, Chittoor.
4. The District Revenue Officer, Chittoor, Andhra Pradesh.
5. The Tehsildar, Nindra Mandal, Dist. Chittoor, Andhra Pradesh.
6. NATEMS SUGAR PRIVATE LIMITED, A company registered under the Companies Act, 1956, CIN U15421TG2014PTC093249. Registered Office at- House of Shalom, III Floor, Plot No.22, Survey No. 90/1, Trendz Eternity, Green Land Colony, Gachibowli, Hyderabad, Rangareddi, Telangana - 500032.

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 appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 2 in issuing the Attachment/Sale Notice dated 25.05.2021 and 10.06.2021 as illegal, arbitrary and unconstitutional and set aside the Attachment/Sale Notices dated 25.05.2021 and 10.06.2021 issued by Respondent No. 2 and restrain the Respondents, more particularly Respondent No.2, from conducting any further proceedings pursuant to the Attachment/Sale Notices dated 25.05.2021 and 10.06.2021 in respect of assets duly charged with the Petitioner against the loan facility granted by the Petitioner to the Respondent No.6.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings pursuant to Attachment/Sale Notices dated 25.05.2021 and 10.06.2021 issued by Respondent No. 2, pending disposal of WP 11463 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and orders of the High Court dated 22-06-2021, 14.09.2021 & 02.11.2021 made herein and upon hearing the arguments of Sri K. Siddharth Rao Advocate for the Petitioner, Sri N. Harinath, Asst. Solicitor General for Respondent Nos.1 & 2 and of GP for Revenue for Respondent Nos.3 to 5, the Court made the following.

ORDER:

Mr.K.Nithin Krishna, learned counsel, appearing on behalf of Mr.K.Siddharth Rao, learned counsel for the petitioner; Mr.Vineeth, representing B.V.S.Chalapathi Rao, learned Counsel for the respondent No.2 and 6; Mr.G.L.Nageswara Rao, learned Government Pleader, Revenue, for the respondents No.3 to 5 and Ms.T.Alekya, learned counsel, representing Mr.N.Harinath, learned Assistant Solicitor General for the respondent No.1, are present.

As prayed for by learned counsel for the respondents for filing counter affidavit, the matter be listed on 09.12.2021.

Interim order granted earlier to continue.

SD/-M.PADMALATHA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. One CC to Sri K Siddharth Rao, Advocate [OPUC]
2. Two CC to GP for Revenue, High Court of A.P at Amaravati (OUT)
3. One CC to Sri N. Harinath, Asst. Solicitor General, High Court of A.P at Amaravati (OUT)
4. One CC to Sri V.V.S.Chalathi Rao, Advocate [OPUC]
5. To Section Officer, Writ Non-Service Section, High Court of A.P..
4. One spare copy

SRL


HIGH COURT

AAJ & BKMJ

DATED:18/11/2021

ORDER

NOTE: LISTED ON 09.12.2021

WP.No.11463 of 2021

INTERIM SUSPENSION EXTENDED

