

APHC010294652026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

WEDNESDAY, THE 12th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CIVIL REVISION PETITION NO: 1765 OF 2026

Between:

1. GANJI VIKRAM, So Ganji. Subbaiah, Aged about 37 Years Rio Bhagyanagar 3rd line, 1st Cross Road, Sir Nilaya Apartment, Plot No.402, At Ongole, Ongole ToWn and Mandal,Prakasam District,Andhra Pradesh, Pin Code 523001.

...Petitioner

AND

1. M/S N V EXPORTS, Represented by its Managing Partners Mr. Nusumu.Venkateswara Reddy N. Jyothi Rio Plot No.A-7B Industrial Estate, Kurnool Road, At Ongole, Ongole Town and Mandal, Prakasam District, Andhra Pradesh, Pin Code 523002.

2. Mrs Nusumu Jyothi, Managing Partner of M/s N.V. Exports W/o Nusumu. Vehkateswara Reddy, Rio Door No. 7-35, Sunnam Bath Bazar, Kurnool Road, At pngole, Ongole Town and Mandal, Prakasam District Andhra Pradesh, Pin Code 523002.

.....RESPONDENTS/APPLICANTS/BORROWERS.

3. Authorised Officer, Indian Overseas Bank, Opp HCM Degree College, Miriyalapalem, Ongole, Ongole Town and Mandal, Prakasam District, Andhra Pradesh, Pin Code 523001.

...Respondents

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased tohe Aggrieved Party or Petitioner/2nd Respondent filed a Civil Revision Petition following among other grounds in the Present Petition, the Petitioner/2nd Respondent Beks to present this Present Civil Revision Petition before this Honble Court of High Court of Andhra Pradesh, At Amaravati aggrieved for non disposal of the SA.NO.796/2025 on the file of Debts Recovery Tribunal, At Visakhapatnam, Visakhapatnam District, Andhra Pradesh. According to Under Article 227 of the Constitution of India, the Honble Court may be pleased to take into the consideration of the Petitioner/2nd Respondent, and may be pleased 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 dispense with filling of the Certified Copies Docket Proceedings passed in SA.NO.796/2025 on the file of the Hon'ble Debts Recovery Tribunal, At Visakhapatnam, Visakhapatnam District, Andhra Pradesh and pass such other appropriate order or orders may this Hon'ble Court deems fit and proper in the circumstances of the case

**Counsel for the Petitioner: GOURAVARAPU VENKATA LEELA
SUNDARAM**

Counsel for the Respondents:

The Court made the following order:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CIVIL REVISION PETITION NO: 1765 OF 2026

ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

This Civil Revision Petition is filed aggrieved by non disposal of S.A.No.796 of 2025 on the file of Debts Recovery Tribunal, Visakhapatnam filed by Respondent Nos.1 and 2 in terms of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the S.A.R.F.A.E.S.I Act').

2. Heard the learned counsel for the petitioner. In spite of service of notice, there is no representation for Respondent Nos.1 & 2.

3. Learned counsel for the petitioner submits that the petitioner is the auction purchaser who participated in the E-auction conducted by the 3rd respondent-bank on 07.01.2026 and stood as successful bidder for an amount of Rs.1,16,44,000/- and he paid the entire bid amount to the 3rd respondent. In the meanwhile, Respondent Nos.1 & 2 approached Debts Recovery Tribunal, Visakhapatnam by filing S.A.No.796 of 2025 against the proceedings initiated by the 3rd respondent-bank against them. The said S.A was filed on 29.12.2025 and it is still pending before Debts Recovery Tribunal, Visakhapatnam. Learned counsel for the petitioner submits that the grievance of the petitioner is that due to pendency of the said S.A he is facing serious loss and hardship and requests this Court to direct the Debts Recovery

Tribunal, Visakahaptnam to dispose of the S.A.No.796 of 2025 at an early date.

4. Having considered the submissions of the learned counsel for the petitioner, in our considered view, it is appropriate to look into the relevant provisions of the S.A.R.F.A.E.S.I Act. Section 17(5) of the said Act reads as follows:-

17(5) Any application made under sub-section (1) shall be dealt with by the Debts Recovery Tribunal as expeditiously as possible and disposed of within sixty days from the date of such application:

Provided that the Debts Recovery Tribunal may, from time to time, extend the said period for reasons to be recorded in writing, so, however, that the total period of pendency of the application with the Debts Recovery Tribunal, shall not exceed four months from the date of making of such application made under sub-section (1).

5. On bare perusal of Section 17(5) of the S.A.R.F.A.E.S.I Act, it is clear that Debt Recovery Tribunal shall dealt with an application filed under Section 17(1) of the S.A.R.F.A.E.S.I Act as expeditiously as possible and shall dispose of the same within a period of sixty (60) days from the date of the said application. The Debts Recovery Tribunal may extend the said period by recording the reasons in writing from time to time. But, however, the total period of pendency of application before the Debts Recovery Tribunal shall not exceed four (4) months from the date of making the said application.

6. Admittedly, in the present case, the time stipulated under Section 17(5) of the S.A.R.F.A.E.S.I Act already expired. In view of the same, it is the duty of the Debts Recovery Tribunal, Visakhapatnam to dispose of S.A.No.796 of 2025 forthwith.

7. Accordingly, this Civil Revision Petition is allowed with a direction to the Debts Recovery Tribunal, Visakhapatnam to dispose of S.A.No.796 of 2025 forthwith by following due process of law.

8. There shall be no order as to costs.

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

JUSTICE BATTU DEVANAND

JUSTICE SUNITHA GANDHAM

Dated: 12.08.2026

TM

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CIVIL REVISION PETITION NO: 1765 OF 2026

Dated: 12.08.2026

TM