APHC010015052025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3564]**
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 739/2025

Between:

1. M/S. BGR ENERGY SYSTEM LIMITED, REPRESENTED BY ITS AUTHORIZED SIGNATORY S.HARISHRAM SRINIVASAN HAVING ITS MANUFACTURING UNIT AT A-5 PANNAMGADU INDUSTRIAL ESTATE,RAMAPURAM POST SULLURPET TALUK, NELLORE DISTRICT ANDHRA PRADESH.

...PETITIONER

AND

1. UNION OF INDIA, REP BY ITS CHIEF SECRETARY MINISTRY OF CORPORATE AFFAIRS NEW DELHI.
2. CENTRAL BANK OF INDIA, CORPORATE FINANCE BRANCH REPRESENTED BY ITS ASSISTANT GENERAL MANAGER POST BOX NO 2719, ADDISON BUILDINGS 803, ANNA SALAI, CHENNAI.
3. NATIONAL ASSET RECONSTRUCTION COMPANY LIMITED, (ACTING IN ITS CAPACITY AS TRUSTEE OF NARCL TRUST-0029), REPRESENTED BY ITS POWER OF ATTORNEY HOLDER, INDIA DEBT RESOLUTION COMPANY LIMITED, HAVING ITS REGISTERED OFFICE AT BIRLA CENTURION, 8TH FLOOR, CENTURY MILLS, PANDURANG BUDHKAR MARG WORLI, CENTURY MILL, MUMBAI - 400 030. R3 IS IMPLEADED AS PER THE COURT'S ORDER DT.09.12.2025 IN I.A.NO.03 OF 2025.

...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 tomay be pleased to issue an order/direction, particularly one in nature of Writ of Mandamus declaring the Impugned Proceedings, dated 03-01-2024, declaring the account of the Petitioner Company as NPA with effect from 30.06.2022 in violation to RBI Master Circular - Prudential norms on Income Recognition, Asset Classification and Provisioning pertaining to Advances and section 35A and Section 35 AB of the Banking Regulations Act 1949 and consequential proceedings under Section 7 of IBC, 2016 in CP(IB) N06I/7/AMR/2024 on the file of Honble NCLT, Amaravati bench herein as illegal, arbitrary and in violation of Principles of Natural Justice, and consequentially, set aside the impugned proceedings issued by the 3rd Respondent, dated 03.01.2024, declaring the Petitioner Company account as NPA with effect from 30.06.2022 and also to set-aside the proceedings under Section 7 of IBC, 2016 in CP(IB) N0.6I/7/AMR/2024 on the file of Honble NCLT, Amaravati herein 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 may be pleased to stay all further proceedings in CP(IB) No. 61/7/AMR/2024 on the file of Hon'ble NCLT Amaravathi Bench pending disposal of the above Writ Petition and to pass

IA NO: 2 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 may be pleased to Respondent not to take any further coercive steps in pursuance to the declaration of Petitioners account as NPA pending disposal of the above Writ Petition and to pass

IA NO: 3 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 to implead National Asset Reconstruction Company Limited (acting in its capacity as trustee of NARCL Trust - 0029) as "Respondent No. 3" in the captioned Writ Petition No. 739 of 2025 as well as in the interlocutory application and 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 Honble Court be pleased to vacate the Interim Order dated January 9,2025 (extended from time to time) passed by this Honble Court in WP. No.739 of 2025 and dismiss the Writ Petition with costs and pass

Counsel for the Petitioner:

1. VIVEK CHANDRA SEKHAR S

Counsel for the Respondent(S):

1. SAI SANJAY SURANENI
2.
3. PRAKASAM REDDY D

The Court made the following:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.739 of 2025

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

Learned counsel for the petitioner sought permission of this Court to withdraw this writ petition, in view of the subsequent developments happened during the pendency of this writ petition.

2. Permission is granted.

3. Accordingly, this Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

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

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JUSTICE BATTU DEVANAND

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JUSTICE TUHIN KUMAR GEDELA

Date: 15.10.2026
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THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HON'BLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION No.739 of 2025

Date: 15.10.2026

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