



CGHC010215162026

2026:CGHC:36700

NAFR



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2757 of 2026

- 1** - Haribansh Kumar Pandey S/o Late Shri Gurbari Pandey, Aged About 44 Years R/o F - 704, 7rh Floor, Wallfort Heights, Opposite Wallfort City, Ring Road No. 1, Bhatagaon, Raipur (C.G.)
- 2** - Seema Devi Pandey W/o Haribansh Kumar Pandey Aged About 44 Years R/o F - 704, 7rh Floor, Wallfort Heights, Opposite Wallfort City, Ring Road No. 1, Bhatagaon, Raipur (C.G.)

... Petitioner(s)

versus

- 1** - State Of Chhattisgarh Through The Collector Raipur, District Raipur (C.G.)
- 2** - Tahsildar Raipur District Raipur (C.G.)
- 3** - Naib Tahsildar Raipur, District Raipur (C.G.)
- 4** - Station House Officer Police Station Purani Basti, Raipur, District Raipur (C.G.)
- 5** - Shri Praveen Parmar, Naib Tahsildar Raipur, District Raipur (C.G.)
- 6** - Punjab National Bank, Through Its Authorized Officer, Branch Tatibandh, Raipur, District Raipur (C.G.)

... Respondent(s)

For Petitioner(s)	:	Mr. Dhiraj Kumar Wankhede, Advocate.
For Respondent(s)/State	:	Mr. Shreyansh Mehta, Panel Lawyer.
For Respondent No. 6	:	Mr. Anumeh Shrivastava, Advocate.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

17/08/2026

1. By way of this petition, the petitioners have prayed for following reliefs:-

“(i) That, this Hon'ble Court may kindly be pleased to issue appropriate writ/order/direction to quash the impugned execution memo/notice dated 17.04.2026 issued by the Respondent No. 3 (Naib Tahsildar, Raipur).

(ii) That, this Hon'ble Court may kindly be pleased to issue appropriate writ/order/direction to quash the impugned. eviction order dated 23.03.2026 passed by the Respondent No. 1 (Collector, Raipur).

(iii) That, this Hon'ble Court may kindly be pleased to issue appropriate writ/order/direction to the Respondent No. 6 Bank not to take any coercive or dispossessionary steps against the residential house of the petitioners situated at Flat No. 704, 7th Floor, Wallfort Heights, Bhatagaon, Raipur,

(iv) That, this Hon'ble Court may kindly be pleased to issue appropriate writ/order/direction restraining the Respondent Bank from creating any third-party interest, executing a sale, or conducting any auction with respect to the subject residential property;

(v) That, this Hon'ble Court may kindly be pleased to issue.

appropriate writ/order/direction allowing the petitioners to clear the remaining valid outstanding loan amount within a reasonable time frame of 60 days and allow the petitioners to residing the subject premises.

(vi) That, this Hon'ble Court may kindly be pleased to grant other relief which may be suitable in the facts and circumstances of the case in the favour of the petitioner”

2. Learned counsel for the petitioners, fairly submits that, despite the direction issued by this Court, the petitioners have not deposited the requisite loan amount. It is, therefore, submitted that, in view of the availability of an efficacious alternative remedy before the concerned Debts Recovery Tribunal (DRT), the present petition may not be entertained by this Court at this stage.
3. Learned counsel appearing for the State and respondent No. 6 have no objection to the aforesaid submission and does not oppose the prayer made by learned counsel for the petitioners.
4. Having considered the submissions made by learned counsel for the parties and upon perusal of the material available on record, and further taking into consideration the fact that the petitioners have an efficacious alternative remedy available before the concerned Debts Recovery Tribunal (DRT), this Court is of the considered view that no interference is warranted in exercise of its writ jurisdiction. Accordingly, the petitioners are relegated to avail the appropriate remedy before the concerned DRT, in accordance with law. It is made clear that this Court has not expressed any

opinion on the merits of the case, and the concerned Tribunal shall consider the matter independently and in accordance with law.

5. With this observation and direction, the writ petition is **disposed of**.

Sd/-

(Amitendra Kishore Prasad)

Judge

Raghu Jat