



CGHC010405932026



2026:CGHC:44364

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 5263 of 2026**

1 - India Shelter Finance Corporation Ltd. Registered Office At - 6th Floor, Plot No. - 15, Sector - 44, Institutional Area, Near Hudda City Center, Gurugram (Haryana), Branch Office At - Office No. - 517, 5th Floor, Lal Ganga Business Park, New Dhamtari Road, Pachpedi Naka, Raipur (C.G.), Through Its Area Recovery Manager - Gulam Farooqi

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Raipur (C.G.)

2 - The Tehsildar Raipur, District - Raipur (C.G.)

3 - The Additional Tehsildar Raipur, District - Raipur (C.G.)

4 - Smt. Pupun Devi W/o Jitendra Kumar Singh R/o - Near Urkura Water Tank, Aastha Complex, Raipur (C.G.)

5 - Jitendra Kumar Singh S/o Ganga Sagar Singh R/o Near Urkura Water Tank, Aastha Complex, Raipur (C.G.)

6 - Debt Recovery Tribunal Jabalpur, 2nd And 3rd Floors Of The Sanchar Vikas Bhawan (B.S.N.L. Building), Near Head Post Office, Residency Road, Jabalpur (M.P.)

... Respondent(s)

For Petitioner(s) : Shri Ayush Verma, Advocate

For Respondent(s) : Shri Vivek Siddharth Ojha, Panel Lawyer

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

14/10/2026

1. The petitioner has prayed for the following reliefs:

10.1 That, the Hon'ble Court may kindly be pleased to direct the Learned Debt Recovery Tribunal at Jabalpur to decide the Securitization Application No. 26/2024, parties being "Pupun Devi vs. India Shelter Finance Corporation Ltd" preferably within the stipulated time period of 30 days, in the interest of justice.

10.2 To kindly make any other order that may be deemed fit and just in the facts and circumstances of the case including awarding of the costs of the petitioner.

2. Learned counsel for the petitioner submits that respondent no. 4 and 5 have availed credit facilities from the petitioner bank for housing restructuring for an amount of totaling Rs. 21,80,000/- and created security interest on immovable property. The respondent no. 4 and 5 failed and neglect to make re-payment and the operation and conduct of the credit facilities availed became irregular and as a result the petitioner classified the account of the respondent no. 4 and 5 as Non-Performing Asset (NPA) and thereafter the petitioner bank issued statutory demand

notice dated 13.02.2023 under Section 13(2) of the SARFAESI Act, 2002 thereby calling upon the respondents no. 4 and 5 to liquidate their liability in full. The petitioner bank also issued possession notice under Section 13(4) of the SARFAESI Act, 2002 vide its letter dated 29.04.2023 to the respondent no. 4 and 5. thereafter, the respondent no. 4 and 5 have moved to learned Debt Recovery Tribunal Jabalpur to challenge the actions of the petitioner. Thereafter petitioner approached the Chief Judicial Magistrate Raipur under Section 14 of the SARFAESI Act, 2002, thereby making an application seeking assistance in taking the physical possession of the property mortgaged and Chief Judicial Magistrate Raipur was pleased to pass the order dated 19.09.2024 thereby directing the Tahsildar Raipur, District-Raipur to provide physical possession of the mortgaged property to the petitioner bank. The learned CJM has passed the order under Section 14 of the SARFAESI Act, 2002 but the matter is pending before DRT Jabalpur.

3. Learned State counsel submits that the present petition may be disposed of by granting liberty to the petitioner to approach the Debt Recovery Tribunal, Ahmedabad, as the Debt Recovery Tribunal, Jabalpur, has reportedly not been functioning for the last 13 months.
4. Heard learned counsel for the parties and perused the documents annexed with the petition.

5. Having considered the submissions made by learned counsel for the parties and the material available on record, it appears that Securitization Application No. 26/2024, titled "*Pupun Devi v. India Shelter Finance Corporation Ltd.*", is pending before the Debt Recovery Tribunal, Jabalpur. However, learned State counsel submits that the said Tribunal has not been functioning for the last 13 months.
6. In view of the aforesaid circumstances, the petitioner is at liberty to approach the competent Debt Recovery Tribunal at Ahmedabad for appropriate relief in accordance with law.
7. Accordingly, the present petition is disposed of.

SD/-

(Amitendra Kishore Prasad)

JUDGE

Madhurima