

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 1962 of 2016**

1. Moh.D Sahid Sageer S/o Sheikh Mohd. Sageer, Aged About 32 Years R/o Near Sahu Jalebi Shop Borsi Road, New Adarsh Nagar, Potiyakala, Tahsil And District Durg Chhattisgarh
2. Sheikh Mohd Sagger, S/o Mohd. Akhtar, Aged About 65 Years R/o Near Sahu Jalebi Shop, Borsi Road, New Adarsh Nagar, Potiyakala, Tahsil And District Durg Chhattisgarh

**---- Petitioners****Versus**

1. Punjab National Bank Through Its Zonal Manager, Punjab National Bank, Zonal Office, Raipur, District Raipur Chhattisgarh
2. Branch Manager, Punjab National Bank Station Road, Durg Branch, Durg, District Durg Chhattisgarh
3. The Collector District Magistrate, Collectorate, Durg, District Durg Chhattisgarh

**---- Respondents**


---

|                           |   |                                                |
|---------------------------|---|------------------------------------------------|
| For Petitioners           | : | Ms. Sunita Jain, Advocate.                     |
| For Respondents No.1 & 2  | : | Shri Sachin Singh Rajput, Advocate.            |
| For Respondent No.3/State | : | Shri Rama Kant Mishra, Deputy Advocate General |

---

**HON'BLE SHIR JUSTICE PRASHANT KUMAR MISHRA****Order On Board****03/08/2016**

Learned counsel for the petitioners would submit that the petitioners have preferred an appeal bearing S.A.No.111/2016 in March, 2016 before the Debts Recovery Tribunal, Jabalpur (for short, 'the D.R.T.') and the matter is pending consideration. The said appeal has not been taken up for hearing. An application for grant of stay preferred in the said appeal is also pending consideration. However, in the meanwhile, the respondents – Bank has issued e-auction notice

wherein the auction is scheduled for 11<sup>th</sup> August, 2016.

2. It is argued that if the auction takes place, the petitioners shall be adversely affected and there shall be multiplicity of litigation, therefore, the D.R.T. may be directed to take up the application for grant of interim relief before 11<sup>th</sup> August, 2016.

3. In view of the prayer made and the urgency shown, the petition is disposed of with direction that on an application being made by the petitioners for deciding the prayer for interim relief before 11<sup>th</sup> August, 2016, the D.R.T. shall take up the application and decide the same before 11<sup>th</sup> August, 2016.

Certified copy today.

Sd/-  
Judge  
(**Prashant Kumar Mishra**)