

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 5747 of 2007**

1. M/s Ranchers' Rancheria, a firm duly registered under the relevant provisions of the Indian Partnership Act, 1932 having its registered office at the premises of Jubesta Hospital Pvt. Ltd. Devendra Nagar, Raipur-9 acting in the premises through its Partner Shri Riyaz Dalla, S/o Dr. A.R. Dalla, Devendra Nagar, Raipur.
2. Riyaz Dalla, S/o Dr. A.R. Dalla, aged about 33 years, R/o- Jubesta Hospital Pvt. Ltd., Devendra Nagar, Raipur-9.

---- Petitioners**Versus**

1. Chhattisgarh State Industrial Development Corporation, an undertaking of the Government of Chhattisgarh, through its Managing Director, LIC Building Campur, Pandri, Raipur.
2. Union Bank of India, Chandnidih Branch, Raipur, through its Branch Manager, Raipur.

---- Respondents

For Petitioners	:	Mr. B.P. Sharma, Advocate.
For Respondents	:	Mr. Kashif Shakeel, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/11/17**

1. Learned counsel for the petitioners would submit that the petitioners had purchased a suit property pursuant to the auction made by the Debt Recovery Tribunal, Jabalpur on 18.06.2004 in case of Union Bank of India Vs. M/s Auto Power Rubber Industries and the certificate of sale of immovable property was issued in favour of the petitioners on 04.11.2004. Therefore, they are not liable to pay the dues of the erstwhile borrower in the light of the decision of Hon'ble Supreme Court in **Rana Girders Limited v. Union of India and Others**¹.

¹ (2013) 10 SCC 746

2. Be that as it may, the petitioner would be at liberty to file a representation before the respondent No. 1 and in that case, the respondent No. 1 shall consider and dispose of the petitioner's representation / question of liability in light of the decision of the Supreme Court in *Rana Girders Ltd.* (supra) expeditiously preferably within a period of three months from the date of receipt of copy of this order. However, the petitioner would be at liberty to proceed further depending upon the result of the representation.

4. With the aforesaid observations, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge