

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.535 of 2018

M/s D.K. Construction through Partner Smt. Meena Devi Rao, Aged about 35 years, Wife of Shri Dinesh Kumar Rao, R/o Flat No.202, Om Residency, Gaurav Path, Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. The State of Chhattisgarh through the District Collector, Bilaspur (C.G.)
2. The District Magistrate, District Bilaspur (C.G.)
3. The Tahsildar-cum-Executive Magistrate, Takhatpur, District Bilaspur (C.G.)
4. Bank of India, Vyapar Vihar Branch, through Chief Manager, Vyapar Vihar, Bilaspur, District Bilaspur.
5. The Station House Officer, Police Station – Chakrabhata, District Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Mr. P.K. Patel, Advocate.
For State	:	Mr. D.R. Minj, Dy. G.A.
For Respondent No.4	:	Mr. Jitendra Pali, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

23/02/2018

1. The petitioner has challenged the order dated 09-02-2018.
2. Learned counsel for the petitioner submits that the order dated 09-02-2018 is not sustainable and bad in law.
3. Learned counsel appearing for respondent No.4 submits that order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act') was passed 06-02-2017 and thereafter the Writ Petition (WPC No.1993/2017) was filed and that petition has already

been disposed of on 24-08-2017. The order dated 09-02-2018 is a consequential order of order under Section 14 of the SARFAESI Act, therefore, this writ petition cannot be entertained.

4. I have heard learned counsel for the parties.
5. The order dated 09-02-2018 is a consequential order of order dated 06-02-2017 against which W.P. (C) No.1993/2017 has already been disposed of, even other otherwise, that order was not in challenge in this writ petition, I do not find any infirmity and illegality in the impugned order, therefore, this writ petition cannot be entertained. Accordingly, the instant writ petition is dismissed.

Sd/-
(Sanjay K. Agrawal)
Judge