

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 3061 of 2017**

Gagan Bedi, S/o Shri Joginder Pal Bedi, aged about 42 years, R/o Fafadih, Street No. 2, Near Lalganga Midas, P.S. Devendra Nagar, Raipur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through the Principal Secretary, General Administrative Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur (C.G.)
2. The District Magistrate, District Raipur (C.G.)
3. M/s. Aditya Birla Finance Limited having its registered office at Indian Rayon Compound, Verawal Gujarat-362266 and Branch Office in Delhi in 2nd Floor, UCO Bank Building, Parliament Street, New Delhi, through Shri Mahesh Prashar Authorized Officer.
4. Tahsildar, Office of the District Collector, District Raipur (C.G.)

---- Respondents

For Petitioner	: Mr. Sunil Pillai, Advocate.
For State	: Mr. Anand Dadariya, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

03/05/2018

(1) Learned counsel appearing for the petitioner would submit that as the possession of the subject property has already been taken, the petitioner's remedy is to file application under Section 14(1) of the Securitization & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (henceforth "SARFAESI Act, 2002") before the Debts Recovery Tribunal (DRT).

(2) I have heard learned counsel appearing the petitioner.

(3) Be that as it may, the petitioner is at liberty to file application under Section 14(1) of the SARFAESI Act, 2002 within a period of 10 days from today before the concerned Debts Recovery Tribunal and, in turn, the DRT shall consider and decide the same expeditiously in accordance with law.

(4) With the aforesaid observations, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-