

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1579 of 2018

Amit Kumar Singh S/o Prakash Singh Aged About 46 Years R/o A - 1,
Shailender Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner

Versus

1. Recovery Officer, Debt Recovery Tribunal 797-Ii, Shantikunj, South Civil Lines, Jabalpur (M.P.), District : Jabalpur, Madhya Pradesh
2. Recovery Inspector, Debt Recovery Tribunal, 797-Ii, Shantikunj, South Civil Lines, Jabalpur (M.P.) (Contesting Respondents), District : Jabalpur, Madhya Pradesh
3. The Collector, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Superintendent Of Police, Superintendent Of Police Office, Civil Lines, Raipur, District Raipur Chhattisgarh. (Proforma Respondents), District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pankaj Garg with Mr. Milind Garg and Mr. R. K. Bhagat, Advocates.
For State/ resp. No. 3 & 4	:	Mr. R. N. Pusty, GA
For Intervener	:	Mr. Yogesh Pandey & Mr. Anand Gupta

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/06/2018

1. Learned counsel for the petitioner would submit that recovery proceeding is pending before respondents No. 1 & 2 to be transferred to any other Recovery Officer/ Recovery Inspector having the jurisdiction as the Recovery Officer is not acting bonafide and acting malafide which is not in accordance with law.
2. Mr. R. N. Pusty, learned counsel for respondents No. 3 & 4 has no objection in the same.
3. Learned counsel for the intervenor submits that intervener Satya Prakash Jhunjhunwala has not been impleaded as party respondent.

4. I have heard learned counsel for the parties. Since Debt Recovery Tribunal is competent to transfer recovery proceeding from one Recovery Officer to other Recovery Officer/ Revenue Inspector, it would be expedient to direct the Debt Recovery Tribunal to examine the application of the petitioner to transfer from one Recovery Officer to another Recovery Officer/ Recovery Inspector with liberty to make fresh representation to transfer his recovery proceeding from respondents No. 1 & 2 to any other Recovery Officer/ Recovery Inspector within seven days from today and in that event Debt Recovery Tribunal shall examine the application after hearing the affected parties and to pass a speaking order within ten days. Ordered accordingly.

3. With the aforesaid observations, the writ petition stands disposed off.

Sd/-

(Sanjay K. Agrawal)
Vacation Judge