

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1558 of 2019**

- M/s Rashanwalah Food Processing Private Limited. 1st Floor, Ruchi Complex, New Bombay Market, Raipur Chhattisgarh, Through Its Director, Shri Vaibhav Vashistha S/o Shri Shashikant Sharma, Aged about Years, R/o B-7, Sector-1, Mishri Jag, Avanti Vihar Raipur District Raipur Chhattisgarh

---- Petitioner**Versus**

1. Vijaya Bank Main Branch, Raipur Opposite Police Station, Ganj, Fafadih Chowk, Raipur, District Raipur Chhattisgarh
2. The District Magistrate Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Rajesh Kumar Kesharwani, Advocate

For Respondents/State : Shri Sudeep Verma, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****01/05/2019**

1. Heard.
2. The instant petition is against the notice issued by the District Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short the SARFAESI Act) pursuant to the application filed by respondent No.1 before respondent No.2.
3. Learned counsel for the petitioner would submit that certain mandatory provisions have not been complied with and therefore, certain objections have

been raised by the petitioner vide Annexure P-7, as such the District Magistrate may be directed to consider the same.

4. In view of the law laid down by the Supreme Court in the matter of ***Authorized Officer, State Bank of Travancore and another Vs. Mathew K.C. {AIR 2018 SC 676}*** this Court is not inclined to interfere in the matter, however, it is directed that the prayer made by the petitioner to consider the submission made by the petitioner may be taken into account by the District Magistrate before passing the order.
5. With such observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu