

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No. 1000 of 2019**

Rajesh Kumar Agrawal, S/o Shri Suresh Kumar Agrawal,
Aged about 44 years, R/o Ramkuj Niwas, Bhanisthan,
Raipur, District Raipur (C.G.)

-----Applicant

Versus

1. District Magistrate, Raipur, District Raipur (C.G.)
2. AXIS Bank Ltd., Raipur Branch, Chawla Chambers, Opp. New Bus Stand, Pandri, Raipur, District Raipur (C.G.)
3. M/s R.K. Constructions, Proprietor, Vikas Jain, S/o Late R.K. Jain, Shop No. 311, 312, 3rd Floor, Lalganga Shopping Mall, G.E. Road, Raipur, District Raipur (C.G.)
4. J.M. Asset Reconstruction Financial Company Pvt. Ltd., 3rd Floor, B Wing, Subhashish IT Park, Plot No. 68 E, Dantapada Road, Opp. Tata Steel, Mumbai 66, through Authorized Officer, Vivek Mehara, Aged about 41 years, S/o Vijay Mehara
5. M/s City Engineers and Builders, A partnership firm, through its partner Yusuf Raza, S/o Late Md. Ishaq, R/o 82 Anand Nagar, Shaheed Veernarayan Singh Ward No. 32, Raipur, District Raipur (C.G.)

-----Respondents

M.C.C. No. 1006 of 2019

Mukesh Kumar Agrawal, S/o Shri Suresh Kumar Agrawal,
Aged about 33 years, R/o Ramkuj Niwas, Bhanisthan,
Raipur, District Raipur (C.G.)

-----Applicant

Versus

1. District Magistrate, Raipur, District Raipur (C.G.)
2. Jammu and Kashmir Bank, Raipur Branch, Lal Ganga Shopping Mall, G.E. Road, Raipur, District Raipur (C.G.)
3. M/s R.K. Constructions, Proprietor, Vikas Jain,

S/o Late R.K. Jain, Shop No. 311, 312, 3rd Floor,
Lalganga Shopping Mall, G.E. Road, Raipur, District
Raipur (C.G.)

4. J.M. Asset Reconstruction Financial Company
Pvt. Ltd., 3rd Floor, B Wing, Subhashish IT Park,
Plot No. 68 E, Dantapada Road, Opp. Tata Steel,
Mumbai 66, through Authorized Officer, Vivek Mehara,
Aged about 41 years, S/o Vijay Mehara

5. M/s City Engineers and Builders, A partnership
firm, through its partner Yusuf Raza, S/o Late Md.
Ishaq, R/o 82 Anand Nagar, Shaheed Veernarayan Singh
Ward No. 32, Raipur, District Raipur (C.G.)

-----Respondents

M.C.C. No. 1014 of 2019

Mahesh Kumar Agrawal, S/o Shri Suresh Kumar Agrawal,
Aged about 44 years, R/o Ramkuj Niwas, Bhanisthan,
Raipur, District Raipur (C.G.)

-----Applicant

Versus

1. District Magistrate, Raipur, District Raipur
(C.G.)

2. AXIS Bank Ltd., Raipur Branch, Chawla Chambers,
Opp. New Bus Stand, Pandri, Raipur, District Raipur
(C.G.)

3. M/s R.K. Constructions, Proprietor, Vikas Jain,
S/o Late R.K. Jain, Shop No. 311, 312, 3rd Floor,
Lalganga Shopping Mall, G.E. Road, Raipur, District
Raipur (C.G.)

4. J.M. Asset Reconstruction Financial Company
Pvt. Ltd., 3rd Floor, B Wing, Subhashish IT Park,
Plot No. 68 E, Dantapada Road, Opp. Tata Steel,
Mumbai 66, through Authorized Officer, Vivek Mehara,
Aged about 41 years, S/o Vijay Mehara

5. M/s City Engineers and Builders, A partnership
firm, through its partner Yusuf Raza, S/o Late Md.
Ishaq, R/o 82 Anand Nagar, Shaheed Veernarayan Singh
Ward No. 32, Raipur, District Raipur (C.G.)

-----Respondents

M.C.C. No. 1021 of 2019

Rajesh Kumar Agrawal, S/o Shri Suresh Kumar Agrawal,

Aged about 44 years, R/o Ramkuj Niwas, Bhanisthan,
Raipur, District Raipur (C.G.)

-----Applicant

Versus

1. District Magistrate, Raipur, District Raipur (C.G.)
2. IDBI Bank Ltd., Raipur Branch, 1st Floor, Dev Tower, Beside Holy Heart School, Civil Lines, Raipur, District Raipur (C.G.)
3. M/s R.K. Constructions, Proprietor, Vikas Jain, S/o Late R.K. Jain, Shop No. 311, 312, 3rd Floor, Lalganga Shopping Mall, G.E. Road, Raipur, District Raipur (C.G.)
4. J.M. Asset Reconstruction Financial Company Pvt. Ltd., 3rd Floor, B Wing, Subhashish IT Park, Plot No. 68 E, Dantapada Road, Opp. Tata Steel, Mumbai 66, through Authorized Officer, Vivek Mehara, Aged about 41 years, S/o Vijay Mehara
5. M/s City Engineers and Builders, A partnership firm, through its partner Yusuf Raza, S/o Late Md. Ishaq, R/o 82 Anand Nagar, Shaheed Veernarayan Singh Ward No. 32, Raipur, District Raipur (C.G.)

-----Respondents

M.C.C. No. 1009 of 2019

Mahesh Kumar Agrawal, S/o Shri Suresh Kumar Agrawal,
Aged about 44 years, R/o Ramkuj Niwas, Bhanisthan,
Raipur, District Raipur (C.G.)

-----Applicant

Versus

1. District Magistrate, Raipur, District Raipur (C.G.)
2. IDBI Bank Ltd., Raipur Branch, 1st Floor, Dev Tower, Beside Holy Heart School, Civil Lines, Raipur, District Raipur (C.G.)
3. M/s R.K. Constructions, Proprietor, Vikas Jain, S/o Late R.K. Jain, Shop No. 311, 312, 3rd Floor, Lalganga Shopping Mall, G.E. Road, Raipur, District Raipur (C.G.)
4. J.M. Asset Reconstruction Financial Company Pvt. Ltd., 3rd Floor, B Wing, Subhashish IT Park, Plot No. 68 E, Dantapada Road, Opp. Tata Steel,

Mumbai 66, through Authorized Officer, Vivek Mehara,
Aged about 41 years, S/o Vijay Mehara

5. M/s City Engineers and Builders, A partnership
firm, through its partner Yusuf Raza, S/o Late Md.
Ishaq, R/o 82 Anand Nagar, Shaheed Veernarayan Singh
Ward No. 32, Raipur, District Raipur (C.G.)

-----Respondents

For Petitioner : Mr. Sumesh Bajaj, Advocate.
For Respondent No. 1 : Mrs. Astha Shukla, P.L.
For Jammu and Kashmir Bank : Mr. Mayank Chandrakar, Adv.
For Axis Bank : Mr. Anuroop Panda, Adv.
For Respondent No. 5 – M/s City Engineers and Builders:-
: Mr. Anand Shukla, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/12/2019

1. These M.C.C.s have been filed for correction/modification
of the order dated 24.09.2019 passed in W.P. (C) No. 2366 of
2018 and other connected cases.

2. This Court has already granted liberty to the petitioners
to avail the remedy under Section 17 of the SARFAESI Act, 2002
only. Considering the prayer made by learned counsel for the
petitioner, it is made clear that the petitioners are at liberty
to proceed in accordance with law including under Section 17 of
the SARFAESI Act, 2002.

3. In view of above, all the M.C.Cs. are stands finally
disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

