

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 822 of 2018**

Union Bank Of India Pandri Branch, District Raipur, Through Its Authorised Officer.

---- Appellant**Versus**

1. M/s Tuteja Medical Agency Through Its Proprietor, Shri Navjeet Singh Tuteja S/o Shri Amreek Singh Tuteja, Aged About 44 Years, R/o. Tuteja Niwas, Near United Blood Bank, Raja Talab, Govind Nagar, District Raipur Chhattisgarh.
2. State Of Chhattisgarh Through Its District Magistrate, Collectorate Office, District Raipur Chhattisgarh.
3. The Tahsildar, District Raipur Chhattisgarh.

---- Respondents

For Appellant	: Shri Ankit Pandey, Advocate.
For Respondent/State	: Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**04/01/2019****Per Ajay Kumar Tripathi, Chief Justice**

1. I.A. No.01 of 2018 has been filed to condone delay of 163 days in instituting the appeal. For the reasons indicated in the application, the same is allowed. Delay is condoned.
2. Heard counsel for the Appellant and counsel for the State.
3. Perused the order dated 04.05.2018 passed by the learned Single Judge, which is an interim order restraining the Appellant from auctioning the property till the next date. The litigation arises out of a Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 proceeding under Section 14(1), which became the reason for preferring the writ petition by the private Respondent.

4. If the interim order of restrain of auction was not passed by the learned Single Judge in the given facts, the writ application itself would have become infructuous. Therefore, we are not inclined to interfere with the impugned order dated 04.05.2018 passed by the learned Single Judge. However, the learned Single Judge is requested to hear the matter and decide the same within a reasonable time frame, especially, when the Court is informed that the pleadings have been completed and an application for urgent hearing has also been filed.

5. Writ appeal is disposed off in terms of the above.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE