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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2285 of 2020**

1. M/s EBPL Ventures Private Ltd (Formerly Known As Eskay Buildworks Pvt. Ltd.) 4/3, Nehru Parisar, Nehru Nagar, Bhilai (CG) Through Its Director Mr. Ajay Agrawal S/o Late Shiv Kumar Agrawal, Aged About 50 Years, R/o 27/4, Nehru Nagar East, Bhilai District Durg Chhattisgarh.
2. Sushma Agrawal W/o Ajay Agrawal Aged About 49 Years Working As Director Of M/s Ebpl Ventures Pvt. Ltd, R/o 27/4, Nehru Nagar East, Bhilai Chhattisgarh.

---- Petitioners**Versus**

1. Bank Of India Through Its Chairman Cum Managing Director, Having Office At Star House, C-5, GD Block, Bandra Kurla Complex, Mumbai, Maharashtra.
2. Assistant General Manager, Bank Of India, Having Office At Civic Centre, Bhilai Chhattisgarh.
3. The Authorised Officer And Chief Manager (Credit) Bank Of India, Bhilai Branch, Civic Centre, Bhilai District Durg, Chhattisgarh.
4. Zonal Manager Bank Of India, Zonal Office, 1st Floor, Gd Seth Nilayam, Tatyapara, Raipur Chhattisgarh.
5. The District Magistrate Durg, District Durg Chhattisgarh.

---- Respondents

For Petitioners : Mr. Brian Da Silva, Sr. Advocate
along with Mr. Shishir Dixit, Advocate

For Respondents No.1 to 4 : Mr. Anand Shukla, Advocate

For Respondent No.5 : Mr. Mateen Siddiqui, Deputy A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/10/2020**

1. The grievance of the petitioners in the present writ petition is the notice issued by the respondent No.5 at the behest of the respondents 1 to 4 under Section 14 of the SARFAESI Act, 2002.

2. The primary contention of the petitioners before this Court is that the proceedings before the District Magistrate as such get lapsed on the expiry of 60 days period and therefore the notice issued to the petitioners is per se illegal or ab initio void.
3. This Court at this juncture on perusal of the records finds that such an objection has not been raised by the petitioners before the respondent No.5, therefore this Court is reluctant to entertain the writ petition at this juncture. Reserving the right of the petitioners to approach before the respondent No.5 and to move an appropriate objection in this regard and the respondent No.5 may act in accordance with law on the said application to be filed by the petitioners at the earliest.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved