

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(C) No. 4350 of 2021

Dhurendra Singh S/o Shri Surendra Singh Raghav Aged About 53 Years
R/o MIG-30, Mahavir Nagar, Sahyog Park, Behind Mining Office, Raipur
Chhattisgarh.

---- Petitioner

Versus

1. Bank Of Baroda Boriyakala Branch, Dhamtari Road, Village Boriyakala, Raipur Chhattisgarh
2. The Collector, District Raipur, Collectorate, Raipur, Chhattisgarh.

---- Respondents

For Petitioner	: Shri Vivek Mishra, Advocate.
For respondent No.1	: Shri Ankit Singhal, Advocate.
For respondent No.2/ State	: Ms. Akanksha Jain, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10.11.2021

Heard on petition.

1. This petition has been brought against the recovery proceedings initiated by the Bank of Baroda. The petitioner has already availed the remedy of filing securitization application under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) and prayed for interim relief before Debt Recovery Tribunal (DRT), Jabalpur. Due to vacancy in the seat of Presiding Officer of DRT, Jabalpur, securitization application and the application for interim relief filed, are remaining unheard. Hence, this petition has been filed and it is prayed that appropriate orders be passed.
2. Learned counsel appearing for respondent No.1 opposes the submissions, however, he concedes that the DRT, Jabalpur is vacant at present, hence, appropriate orders may be passed.

3. Learned counsel for respondent No.2/ State makes a formal objection.
4. After considering on the submissions, this petition is disposed of at motion stage. It is ordered that the recovery proceeding initiated by respondent No.1 shall remain stayed until the application for interim relief which is filed alongwith securitization application by the petitioner before DRT, Jabalpur, is heard and decided by the DRT, Jabalpur after the appointment of Presiding Officer in that Tribunal.
5. With the aforesaid observations, the present petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nimmi