

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3372 of 2020

1. M/s Vijeta Construction Company (A Unit Of M/s V.B. Properties And Infrastructure (India) Ltd., C-177/5, Opp- MLA Rest House, Tagore Nagar, Raipur-492 001, Chhattisgarh
2. Mr. Basant Bagde S/o Natthuji Bagde Aged About 53 Years Occ- Business, R/o C- 177/5, Opp- MLA Rest House, Tagore Nagar, Raipur- 492 001, Chhattisgarh
3. Mrs. Vijaya Bagde W/o Basant Bagde Aged About 43 Years Occ- Business, R/o C-177/5, Opp- MLA Rest House, Tagore Nagar, Raipur- 492 001, Chhattisgarh

---- Petitioners

Versus

1. M/s Pegasus Asset Reconstruction Pvt. Ltd. 55/56, 5th Floor, Free Press House, Nariman Point, Mumbai- 400 021
2. State Of Chhattisgarh Through District Magistrate, Raipur, Chhattisgarh

---- Respondents

For petitioner – Shri Rajeev Shrivastava, Advocate.

For State- Shri Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

18/02/2021

Heard.

1. Learned counsel for the petitioner fairly submits that earlier when the petition was filed debt recovery tribunal was not functional, however with the passage of time as has been instructed the debt recovery tribunal is now functional and the date is fixed of the subject issue before the debt recovery tribunal in the present week alone. He would submit that in the meanwhile the Tehsildar has kept the case for attachment. He would submit that since hearing will take place before the debt recovery tribunal, therefore the Tehsildar may be restrained to take forceful possession of the property till hearing is concluded before the debt recovery tribunal.
2. Considering the nature of dispute involved, since debt recovery tribunal is already functional and it has been fairly submitted before the Court that case is fixed before the DRT on 19/02/2021, it is expected that the Tehsildar may wait for

some time so that hearing before the DRT takes place. However this Court has not made any observation on merits of the entitlement of the petitioner to the claim.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE

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