

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (CIVIL) NO. 5179 OF 2021**

- Sahista Parven, Wd/o Late Afroj Aalam, aged about 32 years, R/o Ward No.26, Noori Chowk, Gaji Nagar, Birgaon, Raipur, District Raipur (C.G.)

... Petitioner**versus**

1. Bank of Baroda, through Chief Manager, Bank of Baroda, Rawabhatha, Birgaon Branch, Raipur, District Raipur (C.G.)
2. Divisional Manager, Bank of Baroda, Divisional Office, Raipur, District Raipur (C.G.)
3. Branch Manager, Bank of Baroda, Rawabhatha, Birgaon Branch, Raipur, District Raipur (C.G.)

... Respondents

For Petitioner	: Mr. Priyanshu Gupta, Advocate.
For Respondents	: Mr. Ankit Singhal, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****[15/12/2021]**

1. The present Writ Petition has been filed by Petitioner assailing the Sales Notice published in the Nav Bharat newspaper on 23.11.2021 exercising the powers conferred under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, "SARFAESI Act").
2. The reason for the Petitioner to approach this Court is that the concerned Debt Recovery Tribunal (for short, "DRT") which has the jurisdiction to hear the cases pertaining to SARFAESI Act was not functional and therefore the Petitioner has filed the present Writ Petition.
3. Today, when the matter is taken up for hearing, learned Counsel for Respondents has produced a Notification dated 13.12.2021 issued by the Government of India, Ministry of Finance whereby the charge of DRT, Jabalpur has been given to DRT-1, Mumbai with immediate effect till 31.12.2021.

4. The said Notification shows that the Presiding Officer, DRT-1, Mumbai has the power to hear the matters in respect of those cases which have been filed at DRT, Jabalpur.

5. Given the said fact, the Petitioner who has till date not approached the concerned DRT i.e. DRT, Jabalpur will now have to file appropriate Application before the DRT, Jabalpur and take steps to ensure the early listing of the case before the DRT-1, Mumbai.

6. Thus, reserving the right of the Petitioner to approach the concerned DRT in terms of the Notification dated 13.12.2021, the present Writ Petition at this juncture deserves to be and is disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge