CGHC010383762026

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5210 of 2026

1 - M/s R.P. Friends Fuels Through Its Proprietor Ram Prasad Baghel, C/o Hpcl Pump, Nh-130, Bilaspur Road, Pondi, Tehsil- Bodla, District- Kabirdham (C.G.)

2 - Ram Prasad Baghel S/o Late Shri Latel Ram Baghel Aged About 50 Years R/o Shiv Vihar Colony, Road No. 1, Behind Godna Resort, Bhoramdev Road, Kawardha, District Kabirdham (C.G.)

3 - Smt. Sangeeta Baghel W/o Ram Prasad Baghel Aged About 49 Years R/o Shiv Vihar Colony, Road No. 1, Behind Godna Resort, Bhoramdev Road, Kawardha, District Kabirdham (C.G.)

... Petitioner(s)

versus

1 - Union Of India Through The Secretary, Department Of Financial Services, Ministry Of Finance, Jeevan Deep Building, Sansad Marg, New Delhi 110001.

2 - Punjab National Bank Through Its Branch Manager, Branch- Kawardha, Swastik Complex, Raipur Naka, Kawardha, District Kabirdham- 491995 (C.G.)

3 - Punjab National Bank Through Its Authorized Officer, Circle Office Bilaspur, Ring Road No. 2, Gaurav Path, Bilaspur- 495001 (C.G.)

4 - Debts Recovery Tribunal-Ii Ahmedabad, Through Its Registrar, Having Its Office At Ahemdabad, Gujrat.

5 - Aditya Kumar Chandravanshi S/o Dr. P.P. Chandravanshi R/o H. No. 27, Professor Colony, War No. 8, Kawardha, District Kabirdham (C.G.)

6 - Sub-Registrar Kawardha, District Kabirdham (C.G.)

7 - Collector Kabirdham District Kabirdham (C.G.)

8 - Sub Divisional Officer Bodla District Kabirdham (C.G.)

9 - Tehsildar Tehsil Bodla District Kabirdham (C.G.)

... Respondent(s)

For Petitioners	:	Mr. Rohit Sharma, Advocate
For State	:	Mr. Sangharsh Pandey, GA
For Respective Respondents	:	Mr. Abhishek Banjare, CGC and Mr. Sharad Mishra, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

12.10.2026

1. The petitioners have filed this petition with the following reliefs:-

> *" 10.1 Issue a writ of mandamus or any other appropriate writ, order or direction, commanding Respondent No. 1-Union of India to take immediate and effective steps to make the Debts Recovery Tribunal, Jabalpur functional, or, in the alternative, to notify an appropriate and accessible forum for expeditious adjudication of*

Securitization Applications arising within the State of Chhattisgarh, so that litigants such as the Petitioners are not rendered remediless;

10.2 Issue a writ of mandamus or any other appropriate writ, order or direction, commanding Respondent No. 4-Debts Recovery Tribunal-II, Ahmedabad, to conduct substantial hearing on, and to expeditiously and preferably within a time-bound schedule as this Hon'ble Court may fix, decide the application for interim relief and, thereafter, S.A. No. 980/2026 in its entirety;

10.3 Pending final disposal of S.A. No. 980/2026, issue a writ of prohibition/mandamus or any other appropriate writ, order or direction, restraining Respondent Nos. 2 and 3-Bank and Respondent No. 5-Auction Purchaser from executing, presenting for registration, or in any manner giving effect to, any Sale Deed in pursuance of the Sale Certificate dated 20.07.2026, and restraining Respondent No. 6-Sub-Registrar from registering any such Sale Deed, in respect of the property in question;"

2. Learned counsel for the petitioner submits that by way of the present petition, the petitioner has challenged the auction dated

17.07.2026 and the sale certificate dated 20.07.2026 issued in favour of respondent No. 5 within three days of the auction, alleging that the land was auctioned at a substantially lower price by deliberately projecting it as a mere vacant piece of land, without disclosing the existing structures and installations thereon. It is submitted that pursuant to the registered Land Lease Agreement dated 28.12.2012, a fuel station comprising four petrol pumps, eight underground storage tanks, a commercial office building, washrooms, a storeroom, three shops, a PNB ATM, mobile towers, an electricity transformer, a diesel generator and other installations had been constructed or installed on the land measuring 0.421 hectares. Learned counsel further submits that the petitioner has already availed the statutory remedy by filing an appropriate application before the Debt Recovery Tribunal (DRT), Jabalpur. However, owing to the non-functioning of the said Tribunal, the matter was assigned to DRT-II, Ahmedabad, which has not taken up the matter for hearing. Taking advantage of the delay, the respondent-Bank is proceeding with the execution of the sale deed in favour of the auction purchaser. It is contended that, if the execution and registration of the sale deed are permitted during the pendency of the proceedings before the Tribunal, irreversible third-party rights may be created, thereby rendering the statutory remedy ineffective. In these circumstances, the petitioner seeks interim protection to preserve

the subject matter of the proceedings and prevent the statutory remedy from being frustrated. Hence, this petition.

3. Learned counsel for the petitioner submits that he is willing to file application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the Debt Recovery Tribunal, Jabalpur, however, since charge of DRT Jabalpur has been shifted on D.R.T.-2 Ahmedabad and as such, he has to approach DRT-2 Ahemadabad, therefore, he prays for some breathing relief till then.

4. Considering the submissions advanced by learned counsel for the petitioners, this writ petition is disposed of with liberty to the petitioners to approach the DRT, Jabalpur, by filing an appropriate application **within 15 working days** from the date of receipt of a copy of this order and also the petitioners shall also be at liberty to file an application seeking transfer/listing of their case before DRT-2, Ahmedabad, or before such other DRT to which the cases of DRT, Jabalpur, have been assigned. The concerned DRT shall consider the application in accordance with law. Thereafter, the petitioners may file an application seeking urgent hearing of their interim application, which shall be considered by the concerned DRT in accordance with law. It is further directed that no coercive steps shall be taken against the petitioners by the concerned Bank for a period of 15 working days from today.

5. It is made clear that this Court has not made any observation on

the merits of the case and the adjudicating authority shall decide the same on its own merits.

6. With the aforesaid observations and directions, the writ petition stands disposed of.

SD/-

(Amitendra Kishore Prasad)
Judge

AMIT PATEL