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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5070 of 2026

1 - Bank Of Baroda Through Authorised Officer Shri Prahlad Kumar Jha, S/o Shri Deo Chandra Jha Aged About 44 Years Regional Office At Bilaspur, Distt- Bilaspur (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Raipur, Distt- Raipur (C.G.)

2 - District Magistrate Cum Collector, Korba Distt- Korba (C.G.)

3 - Sub Divisional Officer, Katghora Distt- Korba (C.G.)

4 - Tehsildar Katghora, Distt- Korba (C.G.)

5 - Superintendent Of Police , Korba Distt- Korba (C.G.)

6 - Shri Trilok Kumar Singh S/o Vashishtha Narayan Singh R/o Khasra No. 85/5 Ward No. 08, Shashtriya Nagar, Mohlain Bhantha Katghora Distt- Korba (C.G.)

... Respondents

For Petitioner	**:**	Mr. Saket Pandey, Advocate
For State	**:**	Mr. Anway Tiwari, PL

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

06/10/2026

1. This Writ Petition has been filed for the following reliefs:-

"10.1. That, the records pertaining to the revenue case of

the petitioner, may be kindly called for the kind perusal of this Hon'ble Court.

10.2 That, the Hon'ble Court may kindly direct the respondent authority to decide the representations preferred by the petitioner, in the interest of justice.

10.3. That any other relief which this Hon'ble court may deem fit and just in the facts and circumstances of the case."

2. Learned counsel for the petitioner submits that the petitioner is a Bank which has provided financial assistance to the borrowers after which the borrowers have defaulted in the repayment of the loan amount because of which the loan account of the borrowers is declared as non performing asset. After the loan account of the borrower was declared as non performing asset, a notice was issued to the borrower under section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002. Even after the notice was issued under the Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002, the borrowers were unable to repay the loan amount and a notice was issued for possession. The petitioner took the recourse of preferring an application under section 14 of the Act of 2002, the application was registered and order was accordingly passed on 01.05.2025. But yet the Tehsildar has taken no action upon the order passed by the District Magistrate.

3. Learned counsel for the petitioner submits that in the instant matter, the borrower/private respondents have filed securitisation application before the Debt Recovery Tribunal, Jabalpur, however, no interim order has

been passed, therefore, this petition has been filed for compliance of order dated 01.05.2025 by the District Magistrate.

4. Learned counsel for the State submits that the since DRT has seized of the matter, therefore, DRT should pass appropriate order in the matter.

5. Having heard counsel for the parties, and particularly this fact that borrowers have already filed a securitisation application before the DRT, Jabalpur and the matter is pending therein, this Court deems it fit to relegate the petitioner before DRT. Accordingly, the petitioner is directed to pursue his matter before the DRT Jabalpur. However, since cases of DRT Jabalpur are assigned to D.R.T.-2 Ahmedabad (in-charge for DRT Jabalpur), the petitioner shall file appropriate application before DRT Jabalpur to get his listed in DRT-2 Ahmedabad and thereafter, the petitioner shall file application for urgent hearing before DRT-2 Ahemdabad, which shall be considered by the said DRT accordingly.

6. With the aforesaid observation/ direction, this Writ Petition is **disposed of.**

7. It is made clear that this order will only operate in favour of the petitioner upon verification that whether any securitisation application has been filed by the borrowers/private respondents before the DRT.

Sd/-

(Amitendra Kishore Prasad)
Judge

Priyanka