CGHC010384882026 2026:CGHC:43137

PRIYANKA VERMA
Digitally signed by PRIYANKA VERMA
Date: 2026.10.09 17:59:47 +0530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5065 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, District Bilaspur, C.G.

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Raipur, District Raipur, Chhattisgarh.

2 - District Magistrate Cum Collector, Baloda Bazar- Bhatapara, District Baloda Bazar- Bhatapara, Chhattisgarh.

3 - Sub Divisional Officer, Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh

4 - Tehsildar Baloda Bazar, District Baloda Bazar- Bhatapara, Chhattisgarh

5 - Superintendent Of Police Baloda Bazar- Bhatapara, District Baloda Bazar- Bhatapara, Chhattisgarh

6 - Chandra Shekhar Namdev S/o Daya Ram Namdev Aged About 40 Years R/o Lal Bahadur Shashtri Ward, Bhatapara, District Baloda Bazar- Bhatapara, Chhattisgarh

... Respondents

For Petitioner	**:**	Mr. Saket Pandey, Advocate
For State	**:**	Mr. Amit Nayak, 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 22.06.2026. But yet the Tehsildar has taken no action upon the order passed by the Chief Judicial 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 22.06.2026 by the Chief Judicial 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