



CGHC010490002025

2026:CGHC:32154

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 6020 of 2025

- 1** - M/s Hi- Tech Abrasives Ltd Through Its Director Laxmichand Gurvani
Address Plot No. 740 I.J. Sector B Urla Industrial Complex District
Raipur Chhattisgarh
- 2** - Shakuntala Tekriwal W/o Narayan Prasad Tekriwal Aged About 69
Years Address M I G - 21 Indravati Colony District - Raipur Chhattisgarh
- 3** - Narayan Prasad Tekriwal S/o Late Shri Nathaml Ram Tekriwal Aged
About 70 Years R/o M I G - 21 Indravati Colony District - Raipur
Chhattisgarh

... Petitioners

versus

- 1** - Axis Bank Ltd Through Its Authorized Officer Stressed Assets
Branch, East Nagaland House,7th Floor, 11 Shakespeare Sarani
Kolkatta (W.B.)
- 2** - Collector And District Magistrate District Raipur Chhattisgarh
- 3** - Tehsildar Raipur District Raipur Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Kishore Bhaduri, Senior Advocate assisted by Mr. Harsh Dave, Advocate
For State	:	Mr. S.S. Choubey, Govt. Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

27.07.2026

- 1.** Heard Mr. Kishore Bhaduri, learned Senior Counsel assisted by
Mr. Harsh Dave, learned counsel for the petitioners and Mr. S.S.
Choubey, learned Government Advocate appearing for the State.

2. By filing the present writ petition, the petitioners have challenged the legality, validity and propriety of the proceedings initiated by respondent Bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act'), including the order dated 19.05.2025 passed by the Collector & District Magistrate, Raipur under Section 14 of the Act and the consequential notice dated 10.07.2025 issued by the Tehsildar, Raipur for taking physical possession of the mortgaged properties, on the ground that the mandatory provisions of the SARFAESI Act, and the Security Interest (Enforcement) Rules, 2002 have not been complied with and that the entire proceedings have been conducted in violation of the prescribed statutory procedure.
3. Learned counsel appearing for the parties jointly submit that the controversy involved in the present writ petition is no longer *res integra* and stands squarely covered by the judgment rendered by this Court in **WPC No.2799 of 2026** and other connected matters, decided on **24.07.2026**. It is submitted that the facts, the challenge raised, and the legal issues involved in the present petition are identical to those considered in the aforesaid batch of writ petitions. Therefore, it is prayed that the present writ petition may also be disposed of in terms of the order dated 24.07.2026 passed in WPC No.2799 of 2026.
4. This Court while disposing of **WPC No.2799 of 2026 and analogous cases** vide order dated **24.07.2026** held as follows :

“6. Having heard learned counsel for the parties and considering the aforesaid submission this Court perused the gazette notification dated 02.06.2026 which reads as under:-

“TO BE PUBLISHED IN PART I, SECTION 2 OF THE GAZETTE OF INDIA)

F.No. 07/10/2025-DRT
Government of India
Ministry of Finance
Department of Financial Service
New Delhi, dated the 03rd June, 2026

NOTIFICATION

In pursuance to DoP&T approval vide O.M No. 18/26/2021-EO(SM-II) dated 02.06.2026, the Central Government hereby entrusts the additional charge for the post of Presiding Officer for the following Debts Recovery Tribunals as below:-

S. No.	Name of Tribunal	Additional charge assigned w.e.f	Additional charge assigned till	Additional charge to be assigned to Presiding Officer of the Tribunal
1	DRT, Ranchi	With immediate effect	08.09.2026 or till appointment of a regular incumbent or until further orders, whichever is the earliest.	Shri Anil Kumar Gupta, Presiding Officer, DRT-1, Ahmedabad
2	DRT, Jabalpur	With immediate effect	For a period of six months or till appointment of a regular incumbent or until further orders whichever is the earliest	Shri Pankaj Kumar Upadhyay, Presiding Officer, DRT-2, Ahmedabad

Sd/-
(S.D Sharma)
Under Secretary to the Government of India

To
The Manager
Government of India Press,
Minto Road,
New Delhi-110001

Copy to:

- 1. Presiding Officer, DRT-1, Ahmedabad
- 2.Presiding Officer, DRT-2. Ahmedabad
- 3. Registrars of Debts Recovery Tribunal, Ranchi and Debts Recovery Tribunal, Jabalpur with a request to place the notification on their notice board and a copy may also be sent to the Bar Association
- 4. Registrars of all DRTs and DRATs
- 5. The Pay & Accounts Officer, Ministry of Finance, Department of Economic Affairs, National Savings Organisation Building, Civil Lines, Nagpur.

6. The Pay & Accounts Officer (Banking), New Delhi.

7. Personal files.

8. Guard file.

Sd/-

(S.D Sharma)

Under Secretary to the Government of India”

7. Since by the aforesaid notification the Additional Charge of D.R.T., Jabalpur has been assigned to D.R.T.-2 Ahmedabad accordingly these writ petitions are disposed of with liberty to the petitioners to approach D.R.T.-2, Ahmedabad by filing appropriate proceedings, including applications for listing and interim relief. Since interim protection has already been granted by this Court in favour of the petitioners, the same shall continue till the stay applications are considered by D.R.T.-2, Ahmedabad. It is, however, made clear that the petitioners shall approach the Tribunal without delay and shall not seek any adjournment on the ground that they are protected by the interim orders passed by this Court.

8. The D.R.T.-2, Ahmedabad shall consider the petitioners' applications for interim relief/stay and pass appropriate orders thereon in accordance with law, as expeditiously as possible.

*9. With the aforesaid observations and directions, all the writ petitions **stand disposed of**. It is made clear that all the parties shall be at liberty to avail such remedies and file such applications before the competent D.R.T. as may be available to them in accordance with law. ”*

They further submitted that since the facts and issue involved in the present case are identical to that of WPC No.2799 of 2026 and analogous cases, as such, the present writ petition may also be disposed off in the same terms.

5. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the controversy involved in the present writ petition is identical to the controversy which has already been considered and decided by this Court in **WPC No.2799 of 2026 and analogous matters** by common order dated **24.07.2026**. Learned counsel appearing for both the parties fairly submit that the facts and the legal issues involved in the present case are substantially similar to those considered in the aforesaid batch of writ petitions. In view of the same, this Court does not find any reason to take a view different from the one already taken in the said judgment.
6. Accordingly, for the reasons recorded in the common order dated **24.07.2026** passed in **WPC No.2799 of 2026 and analogous matters**, the present writ petition is also disposed of in the same terms and with the same directions as contained therein, while observing that for a period of ten days, the respondents shall not take any coercive steps, enabling the petitioners to approach the concerned DRT.

Sd/-
(Amitendra Kishore Prasad)
Judge

Yogesh