



CGHC010278882026



2026:CGHC:37456

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 3813 of 2026**

1 - Shri Haider Hussain S/o Shri Mohammad Musharraf Hussain Aged About 59 Years R/o A00161 Govind Nagar, Nasa Girls Hostel G.V.N. Raipur, C.G. 492001.

2 - Shri Mohammad Dayyan Hussain S/o Shri Haider Hussain Aged About 27 Years R/o A00161 Govind Nagar, Nasa Girls Hostel G.V.N. Raipur, C.G. 492001.

3 - Smt. Kaniza Fatima W/o Shri Haider Hussain Aged About 55 Years R/o A00161 Govind Nagar, Nasa Girls Hostel G.V.N. Raipur, C.G. 492001.

... Petitioner(s)**versus**

1 - Indusind Bank Limited Through Its Authorized Officer Shri Ghanshyam Panchariya, S/o Late Chaturbhuj Panchariya, Designated As Assistant Vice President, Having Address At Indusind Bank, 1st Floor Sangam Tower, Jaipur, Rajasthan Pin 302001.

2 - Tehsildar Raipur, District- Raipur, C.G.

... Respondent(s)

For Petitioners : Mr. Harsh Verma, Advocate

For State : Mr. Shreyansh Mehta, PL

For Respondent No. 1 : Mr. Sourabh Jain, Advocate appears through V.C. and Mr. Ayush Verma, Advocate

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

20/08/2026

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

“ 10.1 That, the respondent no.2 be directed not to initiate the proceeding for dispossession of the petitioners from Mouja Raipur, Mohallah Raja Talab Part of Plot No. 7/6 Pt. Ravishankar Shukla Ward No. 26 PH No. 109 RNM Raipur-1, Sheet No. 4 Khasra No. 146/80 Admeasuring 2619 sqft, till the disposal of the matter SA. No.728/2026 pending before DRT Jabalpur.

10.2 That, this Hon'ble Court Kindly be Quash/Set aside the impugned order/Notice dated 16/06/26 (ANNEXURE P-1) passed by the respondent no. 2.

10.3 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed

in favor of the petitioners together with cost of the petition. ”

2. Learned counsel for the petitioners submit that since the D.R.T., Jabalpur (M.P.) is presently not functioning, they are unable to avail the statutory remedy available to them under the SARFAESI Act, 2002. It is, therefore, contended that the possession orders passed against the petitioners deserve to be stayed, as they cannot be left remediless on account of the non-functioning of the D.R.T. Jabalpur.
3. Learned counsel for the respondent/Bank submits that in view of the Gazette Notification dated 02.06.2026 published by the Govt. of India, Ministry of Finance the matters falling within the jurisdiction of D.R.T., Jabalpur (M.P.) are to be taken up by D.R.T.-2, Ahmedabad for a period of six months or till the appointment of a regular Presiding Officer, or until further orders, whichever is earlier. It is further submitted that a Presiding Officer has already been designated to preside over D.R.T.-2, Ahmedabad. Therefore, the petitioners have an efficacious alternative remedy and as such they may be directed to approach D.R.T.-2, Ahmedabad for redressal of their grievances.
4. 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”

5. 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.

6. The D.R.T. Jabalpur/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.
7. It is made clear that till 10 days from today no coercive steps shall be taken against the petitioners by the respondents.
8. With the aforesaid observations, instant petition stands 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

SD/-

(Amitendra Kishore Prasad)

Judge