



CGHC010297412026



2026:CGHC:33456

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4008 of 2026

- 1 - Rewa Chand Sadhwani S/o Shri Lal Chand Sadhwani Aged About 65 Years R/o Hatri Gali, Ward No.12, In Front Of Shyam Narayan Mandir Gobra Nawapara Raipur, Chhattisgarh.
- 2 - Vikram Sadhwani S/o Shri Rewa Chand Sadhwani Aged About 40 Years R/o Hatri Gali Ward No.12, In Front Of Shyam Narayan Mandir Gobra Nawapara, Raipur Chhattisgarh,
- 3 - Sandhya Sadhwani W/o Shri Rewa Chand Sadhwani Aged About 61 Years R/o Hatri Gali Ward No.12, In Front Of Shyam Narayan Mandir Gobra Nawapara, Raipur Chhattisgarh,

... Petitioner(s)

versus

- 1 - Lic Housing Finance Limited Through- Its Authorised Officer, Having Its Office At L I C Housing Finance Corporate Office Usha Pride Mowa Raipur, Chhattisgarh.
- 2 - The Collector And District- Magistrate, Raipur, Raipur Chhattisgarh,
- 3 - The Tehsildar Gobra Nawapara District- Raipur Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Shri Ankit Singhal, Advocate.
For State	:	Shri Abhishek Gupta, PL.

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

03/08/2026

1. By filing the present writ petition, the petitioner calls in question the legality and validity of the impugned memorandum dated 08.07.2026 issued by respondent No.3 whereby, Maal Jamadar has been directed to take physical

possession of the residential property of the petitioners and hand over the same to Respondent No.1. The petitioner has prayed for following relief(s) :-

10.1 That, this Hon'ble Court may kindly be pleased to pass any appropriate writ, order or direction to quash and set aside the impugned memo dated 08.07.2026 issued by the Respondent No. 3, in the interest of justice;

10.2 Any other relief or relief(s) which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the case, may also kindly be granted.

2. Learned counsel for the petitioner submits that by the impugned memorandum, Respondent No.3 has directed the Maal Jamadar to take physical possession of the residential property of the petitioners and hand over the same to Respondent No.1. 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 State 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. On this note, counsel for the petitioner submits that he may be granted two weeks time to file appropriate application before the D.R.T.-2, Ahmedabad, however, till then some interim protection may be granted in favour of the petitioners.
5. Having heard learned counsel for the parties, it appears that by the notification dated 02.06.2026, the Additional Charge of D.R.T., Jabalpur has been assigned to D.R.T.-2 Ahmedabad. Therefore, this writ petition is **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 **within a period of two weeks from today.**
6. **Till two weeks from today**, respondents are directed not to take any coercive steps against the petitioners.
7. 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.

Sd/-
(Amitendra Kishore Prasad)
Judge

Avinash