



CGHC010388322026



2026:CGHC:43242

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

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WPC No. 5073 of 2026

1 - Devkaran Markam S/o Geetaram Markam Aged About 49 Years R/o Shri Radhkrishna Niwas Ward No. 08, Dakabangla, District Gariaband Chhattisgarh.
... **Petitioner(s)**

versus

- 1 - Bank Of India Head Office Star House C-5, G-Block, Bandra Korla Complex, Bandra East, Mumbai 400051.
- 2- Bank of India Raipur Zonal Office, New Zonal Office Sector 24 Naya Raipur Chhattisgarh.
- 2 - Authorized Officer, Of (B O I) Raipur Zonal Office, New Zonal Office Sector- 24, Naya Raipur Chhattisgarh.
- 3 - Branch Manager (B O I)Gariyaband Branch District Gariyaband Chhattisgarh. 493888.
... **Respondent(s)**

For Petitioner(s)	:	Shri Srijan Singh, Advocate.
For Respondent(s)	:	Shri Anand Shukla and Ms. Shruti Jha, Advocates.

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

06/10/2026

1. Instant petition has been filed by the Petitioner being aggrieved by the proposed auction of his mortgaged commercial property, namely "Yug Super Bazaar," scheduled to be held on 09.10.2026 by the Respondent Bank.
2. Learned counsel for the petitioner submits that proposed auction of the Petitioner's mortgaged land is the commercial establishment, namely "Yug Super Bazaar," situated at Shree Radhakrishna Niwas, Ward No. 8,

Dakbangla, Gariaband, District Gariaband, Chhattisgarh, which has been scheduled by the Respondent Bank for 09.10.2026. The Petitioner had availed a loan facility of Rs. 58,00,000/- on 19.11.2019 at an agreed rate of interest of 10.80% per annum, against mortgage of the aforesaid commercial property as security for due repayment of the loan amount. Due to temporary financial constraints and business difficulties, the loan account became irregular and the outstanding amount stood at Rs. 64,15,917/- as on 03.07.2021. Thereafter, the Petitioner made payments towards the outstanding liability and, as a result, the outstanding amount was reduced to Rs. 58,25,628/- as on 24.04.2024.

3. Learned counsel for the petitioner submits that he is willing to file application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the Debt Recovery Tribunal, Jabalpur, however, since charge of DRT Jabalpur has been shifted on D.R.T.-2 Ahmedabad and as such, he has to approach DRT-2 Ahmedabad, therefore, he prays for some breathing relief till then.
4. Learned counsel for the petitioner also submits that he is ready and willing to repay the legitimate outstanding dues to the respondent- Bank, however, some time may also be provided for that.
5. Considering the submissions advanced by counsel for the petitioner, this Writ Petition is **disposed of** while granting 10 days time from the date of receipt of copy of this order to the petitioner to approach DRT Jabalpur by filing appropriate application and the petitioner shall also file application for getting shifted his case from DRT, Jabalpur to D.R.T.-2 Ahmedabad, or wherever the cases of DRT Jabalpur has been assigned, which shall be accordingly

considered by the concerned DRT.

6. So far as payment of outstanding amount is concerned, the petitioner may approach concerned Bank for this, which shall also be accordingly considered by the Bank within short period of time, while considering the requested time as made by the petitioner.
7. It is made clear that this Court has not made any observation on the merits of the case and the adjudicating authority shall decide the same on its own merits.

Sd/-

(Amitendra Kishore Prasad)
Judge

Avinash