

(2018) 09 CHH CK 0272

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2515 Of 2018

Punjab National Bank, Main
Branch Raipur

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision: Sept. 17, 2018

Acts Referred:

- Securitisation And Reconstruction Of Financial Assets And Enforcement Of Security Interest Act, 2002 - Section 14

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Harsh Wardhan, Rajendra Tripathi

Final Decision: Disposed Of

Judgement

Prashant Kumar Mishra, J

1. It appears, despite having passed the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of

Security Interest Act, 2002 on 12.06.2017, the order has not been given effect to by doing all consequential acts. By Annexure-P-3, the Additional

Tehsildar, Raipur has further communicated to Mal Jamadar, Tehsil Office, Raipur, but the actual physical possession of the property has not been handed over to the petitioner.

2. Learned counsel for the petitioner would submit that the order passed by the District Magistrate has attained finality, as the same was never assailed before this Court or any other jurisdictional Forum, yet possession of the stressed property has not been handed over to the petitioner.

3. Considering the order (Annexure-P-2) passed by the District Magistrate, Raipur under Section 14 of the Act, 2002, the writ petition is disposed of with direction to the District Magistrate, Raipur to take all necessary steps for handing over the actual physical possession of the stressed property to the petitioner within a period of 1 month from the date of submission of certified copy of this order.