



2026:CGHC:12490

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WP227 No. 42 of 2026**

1 - Cholamandalam Investment And Finance Company Limited At- No. 45 Justice Basheer Ahmed Sayeed Building, 2nd Floor, 2nd Beach, Moore Street, Perrys Chennai, 600001, Branch Office At- Malviya Tower, Akashwani Road, Nayapara, Jagdalpur, District Bastar, C.G. Being Represented By Its Regional Legal Manager Manish Shukla S/o Lt. D.L. Shukla.

... Petitioner**versus**

1 - M/s Surya Metals And Construction Represented By Its Partner At- Bhadouriya Bhavan, Nayapara, Jagdalpur, District Bastar C.G.

2 - Arun Tripathi, S/o Ramsewak Tripathi, Aged About 49 Years At- Vrindavan Colony, Near Ayappa Temple, Jagdalpur, District Bastar C.G.

... Respondent(s)

(Cause title is taken from Case Information System)

For Petitioner	: Mr. Lukesh Kumar Mishra, Advocate
For Respondents	: None

Hon'ble Shri Justice Sachin Singh Rajput**Order on Board****16/03/2026**

1. This writ petition under Article 227 of the Constitution of India has been filed seeking following relief/s :

- “1. The Court may kindly be pleased to pass appropriate writ(s)/order(s) and direct the Ld. Trial Court to conclude the execution proceedings pending before it in Transfer Execution Case No. 38/2023 titled "Cholamandalam Investment and Finance Company Limited vs M/s Surya Metals and Construction & Anr.", within a limited time frame of 1 month in the interest of justice.
 2. The Court may also be pleased to quash the order dated 18.11.2024 vide which the Ld. Court below had reversed the attachment of the vehicle for the attachment was in consonance with the arbitral award.
 3. Any other relief/direction that the Court may deem fit in the facts and circumstances of the case.”
2. Learned counsel for the petitioner submits that limited prayer is made in this writ petition for directing the learned Executing Court i.e. District Judge, Bastar at Jagdalpur to conclude the execution proceedings in Case No.38/2023 within a reasonable period of time, preferably within a period of 3 months.
 3. I have heard learned counsel for the petitioner and perused the material available on record.
 4. From the order-sheets appended with the writ petition, it appears that the case was filed on 02.02.2023 for execution proceedings and is pending consideration before the learned Executing Court.
 5. Thus in view of the above, considering the nature of dispute, it is expected that the learned Executing Court shall make an earnest endeavour to conclude the proceedings within a reasonable

period of time, subject to cooperation of the parties, keeping in view the law laid down by the Hon'ble Supreme Court in case of ***Periyammal (Dead) Through Lrs. & Ors. vs. V. Rajamani and Anr. etc.*** vide judgment dated 6th March, 2025 (2025 INSC 329).

The relevant para-75 is reproduced as below :

“75. In view of the aforesaid, we direct all the High Courts across the country to call for the necessary information from their respective district judiciary as regards pendency of the execution petitions. Once the data is collected by each of the High Courts, the High Courts shall thereafter proceed to issue an administrative order or circular, directing their respective district judiciary to ensure that the execution petitions pending in various courts shall be decided and disposed of within a period of six months without fail otherwise the concerned presiding officer would be answerable to the High Court on its administrative side. Once the entire data along with the figures of pendency and disposal thereafter, is collected by all the High Courts, the same shall be forwarded to the Registry of this Court with individual reports.”

6. With the above observations and directions, the writ petition stands disposed of.
7. Pending interlocutory application(s), if any, also stand disposed of.

Sd/-
(Sachin Singh Rajput)
JUDGE