



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 39 of 2026

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 Late D.L. Shukla ... **Petitioner(s)**

versus

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

2 - Shakti Singh Chouhan S/o Late Vijaypal Singh Chouhan Aged About 54 Years At Vijay Shri Bhavan Shanti Nagar Ward Jagdalpur, District- Bastar (C.G.)

...Respondents

(Cause title is taken from the CIS)

For Petitioner	: Shri Lukesh Kumar Mishra, Advocate appearing through virtual mode and Shri Prakhar Dutt, Advocate
For Respondents	: None appears

Hon'ble Shri Justice Ravindra Kumar Agrawal

Order on Board

19.03.2026

1. This 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 Id.trial Court to conclude the execution proceedings pending before it in Transfer Execution Case No.19/2023 titled “Cholamandalam

Investment and Finance Company Limited Vs M/s Surya Metals and Construction & Anr”, within a limited time frame of 1 month and also direct the court to allow the undisputed claim over the amount kept in the bank account owned by the debtor firm i.e., account number 10120200007498 at Bank of Baroda, Jagdalpur branch and forfeit the same in favour of the petitioner in the interest of justice.

2. 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 at Jagdalpur to conclude the execution proceedings in case-19 of 2023 within a reasonable period of time, preferably within a period of one/three months.

3. 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 17.01.2023 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 and ors Vs V Rajamani and Anr etc.**, vide judgment dated 6th March, 2025 (2025 INSC 329). Relevant para is reproduced as under:

“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/-
(Ravindra Kumar Agrawal)
JUDGE