



2026:CGHC:4072

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 302 of 2026

1 - Iqbal Singh Bhalla S/o Late Sardar Gurmeet Singh Bhalla Aged About 42 Years
R/o V I P Karishma, Shankar Nagar, Raipur, District - Raipur, C.G. ... **Petitioner**

versus

- 1** - State Of Chhattisgarh Through The Secretary, Department Of Urban Development And Administration, Mahanadi Bhawan, Atal Nagar, Dist. Raipur (C.G.)
2 - Collector Raipur, District - Raipur, C.G.
3 - Tahsildar Raipur, District - Raipur, C.G.
4 - Authorized Officer Capital First Limited, Branch Officer D.B. City, Office 6th Floor, D.B. City Corporation Park, Rajbandha Park, Raipur, District - Raipur, C.G.
5 - Chunni Lal Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
6 - Deepak Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
7 - Dharam Singh Bhai Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
8 - Kapil Patel S/o Amrit Lal Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
9 - Pradeep Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
10 - Amrit Lal Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
11 - Ramesh Kumar Patel S/o Bhanji Bai Patel R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G.
12 - Umiya Saw Mill Through Its Proprietor Namely Chunni Lal Patel, S/o Bhanji Bai Patel, R/o New Timber Market, Fafadih, Raipur, Tehsil And District - Raipur, C.G. ... **Respondents**

(Cause title, as taken from CIS)

For Petitioner	:	Mr. Sunil Otvani, Senior Advocate assisted by Mr. Shobhit Koshta, Advocate
For State	:	Mr. Shobhit Mishra, Dy. Govt. Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

23/01/2026

1. Heard.
2. This petition under Article 226 of the Constitution of India has been



preferred by petitioner seeking following reliefs:-

“10.1 This Hon’ble Court may kindly be pleased to issue appropriate writ and set-aside the impugned order dated 13/1/26, 16/1/26 (Annexure P-2) in the interest of justice.

10.2 This Hon’ble Court may kindly be pleased to call for the entire records of the instant case, for kind perusal of this Hon’ble Court.

10.3 This Hon’ble Court may also be pleased to grant the cost of the petition to the petitioner.

10.4 Any other relief which this Hon’ble Court deem fit and proper may also kindly be granted to the petitioner in the interest of justice.”

3. Learned counsel appearing for the petitioner would submit that the petitioner is an owner and possession holder of the disputed building bearing House No.358/365, Shop No.332 and Municipal Shop No.20/464, area 1180 sq. ft. situated at village Raipur Khas, District Raipur (CG) constructed over the disputed land. He would further submit that there is a dispute between the respondent No.4 and respondents No.5 to 12, pertaining to which, an order dated 17.02.2020 was passed by the court of Collector and District Magistrate, Raipur in Case No.52/B-121/2018-2019 for taking possession of the disputed land without impleading the petitioner as a party. During course of submission, learned counsel further submitted that the aforesaid order has been passed by the Collector under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short ‘SARFAESI Act’) without providing due opportunity of hearing to the petitioner, and in compliance of that order, memo has been issued to *Mal Jamadar* to



hand over the possession of the Municipal Shop No.20/464, area 1180 sq. ft., hence, learned counsel prays that this writ petition may be admitted for hearing.

4. *Per contra*, learned State counsel submits that the petitioner has not filed any document to demonstrate the fact that he is the owner of the said land, hence, the present petition is not maintainable.
5. The issue pertains to the order passed under Section 14 of the SARFAESI Act. In catena of the judgments, the Hon'ble Apex Court has observed that, in the proceeding under SARFAESI Act, the Writ Court ought not have interfered as specific provision has been provided to the parties under Section 17 of the aforesaid Act itself for redressal of their grievance, therefore, writ Court should not interfere.
6. In view of the above, this Court is not inclined to entertain instant petition invoking extraordinary jurisdiction of this Court, hence, the same is **dismissed**. However, liberty is left with the petitioner to take recourse to law available to him.
7. Pending interlocutory application(s), if any, stands disposed of. No order as to cost(s).

Certified copy today.

Sd/-
(Naresh Kumar Chandravanshi)
JUDGE