



2026:CGHC:9779



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HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 56 of 2026

1. M/s A C Steels Through Its Partner Mr. Rajendra Surana R/o Middle Income Group Housing Cooperative Society, Flat No. 87, Vivekanand Nagar, Raipur, District - Raipur, Pin - 492 001 (Chhattisgarh) (Respondent No. 5 In The Writ Petition)
2. Rajendra Surana S/o Late Shri Chandanmal Ji Surana Aged About 66 Years (Father Name And Age Not Mentioned In The Impugned Order) R/o Middle Income Group Housing Cooperative Society, Flat No. 87, Vivekanand Nagar, Raipur, District - Raipur, Pin - 492 001 (Chhattisgarh) (Respondent No 6 In The Writ Petition)
3. Rahul Surana S/o Shri Rajendra Surana Aged About 43 Years (Father Name And Age Not Mentioned In The Impugned Order) R/o Middle Income Group Housing Cooperative Society, Flat No. 87, Vivekanand Nagar, Raipur, District - Raipur, Pin - 492 001 (Chhattisgarh) (Respondent No 7 In The Writ Petition)
4. Santosh Devi Surana W/o Shri Rajendra Surana Aged About 66 Years (Wrongly Mentioned As Santoshi Devi Surana In The Impugned Order And Husband Name And Age Not Mentioned In The Impugned Order R/o Middle Income Group Housing Cooperative Society, Flat No. 87, Vivekanand Nagar, Raipur, District - Raipur, Pin - 492 001 (Chhattisgarh) (Respondent No 8 In The Writ Petition)

... Petitioners.

Versus

- 1.HDFC Bank Limited Through Its Assistant Vice President Pranjil Agrawal, S/o Shri Pushkarraj Agrawal, Aged About 37 Years, Having Office At H D F C



Bank, Department For Special Operations, 4th Floor, Tower B, Peninsula Business Park, Senapati Bapat Marg, Lower Parel, Mumbai, Maharashtra, India- 400013 (Sole Petitioner In The Writ Petition)

- 2.State Of Chhattisgarh Through The Secretary Department Of Revenue Mahanadi Bhawan Atal Nagar, Nava Raipur, Raipur Chhattisgarh, (Respondent No 1, In The Writ Petition)
- 3.The Nayab Tehsildar Raipur District- Raipur Pin- 492001 (Chhattisgarh) (Respondent No 2 In The Writ Petition)
- 4.The Tehsildar Tehsil- Dharsiva District- Raipur Pin- 492001, (Chhattisgarh)
- 5.Maal Jamadar Tehsil- Raipur District- Raipur Pin- 492001 (Chhattisgarh) (Respondent No 4 In The Writ Petition)

... Respondents.

(cause title downloaded from CIS Periphery)

For Petitioners	:	Mr. Abhishek Sinha, Senior Adv with Mr. Kashif Shakeel, Advocate.
For Res No.1/Bank	:	Mr. Ritesh Verma, Advocate.
For Res/State	:	Mr. Saumitra Kesharwani, PL.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

25/02/2026

1. This Review Petition, under Rule 90 of the High Court of Chhattisgarh Rules, 2007, has been filed by the petitioners¹ seeking a review/setting-aside of the order dated 29.01.2026 passed by this Court in WPC No. 377/2026 (HDFC Bank Ltd. Vs. State of CG and Ors - 2026:CGHC:5008).
2. Learned Senior Counsel submits that the impugned order dated 29.01.2026 passed by this Court is bad in law, as it was passed without notice or an opportunity of being heard to the petitioners (respondents therein). He places reliance on the judgment of the Hon'ble Supreme Court in **Johra and Ors. vs. State of Haryana and Ors {(2019) SCC 324}** to submit that a party

¹ Respondents No.5 to 8 in WPC No.377/2026.



to any proceeding has a legitimate right to raise objections, a party at least should be heard and their view/stand should be taken into consideration.

3. Learned Senior counsel next submits that respondent No.1 (the Bank) filed the Writ Petition No.377/2026 aggrieved by the non-execution of an order passed by the learned Chief Judicial Magistrate, Raipur, under the provisions of Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (**SARFAESI Act**). By the impugned order, this Court directed the Tahsildar, Raipur, to comply with the order dated 23.07.2025 passed by the Chief Judicial Magistrate in MJC Case No. 226/2025 in an expeditious manner within a period of 30 days. However, this Court does not function as an executing court for orders passed by the Chief Judicial Magistrate. Furthermore, the Tahsildar is not an Authority under Section 14 or 14(1)(a) and of the SARFAESI Act, and thus lacks the jurisdiction to take possession or comply the order. In view of such submission, he submits that such a direction could not have been passed in the impugned order and if the order is not reviewed, the petitioner will suffer grave prejudice and prays that the impugned order be set-aside and both parties be heard on the merits of the case.
4. On the other hand, learned counsel for the respondent No.1/Bank supports the impugned order and submits that the petitioners have already approached the Debts Recovery Tribunal, Jabalpur, under Section 17 of the SARFAESI Act, challenging the order dated 23.07.2025 passed by the Chief Judicial Magistrate. Therefore, the instant review petition is not maintainable and is liable to be dismissed at the threshold. He next submits that in the impugned order dated 29.01.2026, this Court merely directed compliance



with the order of the Chief Judicial Magistrate and passed no order on the merits of the case, in such a situation, where an order is passed solely for the expeditious compliance of a case, no notice was required to be served to the petitioners. In support of this contention, he relies on the case of **R.D. Jain & Co. Vs. Capital First Limited and Ors {(2023) 1 SCC 675}**, which explains the object and purpose of Section 14 of the SARFAESI Act. He further submits that the case filed by the petitioner before the Debts Recovery Tribunal, Jabalpur, is listed for hearing today, moreover, if the petitioners have any grievance, they may seek recourse to the Tribunal Jabalpur. In view of these submissions, he prays to dismiss the review petition.

5. In response, learned Senior Counsel submits that the judgment in **R.D. Jain (Supra)**, upon which respondent No. 1 relies, does not address the point of deciding a matter without notice, and further argues that the submissions made by the counsel for the respondent/Bank are not justifiable.
6. Heard learned counsel for the parties.
7. This Court, vide order dated 29.01.2026 passed in WPC No.377/2026 (HDFC Bank Ltd. Vs. State of CG and Ors), only issued a direction to the concerned Officer to comply with the order passed by the Chief Judicial Magistrate on 23.07.2025 in an expeditious manner. This Court neither considered the case on its merits nor passed any order on merits. Therefore, this Court did not find it necessary to issue notice. Further, counsel for respondent No. 1/Bank informed that the petitioner has already invoked the remedy under Section 17 of the SARFAESI Act before the Debts Recovery Tribunal, Jabalpur and the case is listed today on the basis of an urgent hearing application filed by the



applicant against the notices issued by the concerned Tahsildar on 26.02.2026 and 27.02.2026.

8. Having regard to the aforesaid facts, this Court is not inclined to entertain the review petition, and the same is hereby dismissed.
9. However, liberty is reserved in favour of the petitioners to approach the Debts Recovery Tribunal, Jabalpur, for the redressal of their grievances.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay