



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2164 of 2026

PREETAM TANDAN versus STATE OF CHHATTISGARH

Order Sheet

04/05/2026	Mr. Chandrikaditya Pandey, Advocate for the petitioner. Mr. Soumitra Kesharwani, Panel Lawyer for the State. Heard. Issue notice to the respondents on payment of process fee by ordinary as well as speed post. Mr. Kesharwani appears and accepts notice on behalf of respondents No. 1 and 2, therefore, process fee need not be paid for the said respondents. Process fee be paid only for the respondents No. 3. Also heard on I.A. No. 01 of 2026, an application for grant of interim relief / stay. Learned counsel for the petitioner submits that the present petition has been filed assailing the eviction warrant dated 06.04.2026. It is submitted that the petitioner has already approached the Debts Recovery Tribunal, Jabalpur by filing a second appeal, being S.A. No. 1417/2026.

Learned counsel further submits that the Debts Recovery Tribunal at Jabalpur is presently non-functional. The Debts Recovery Tribunal, Lucknow has been assigned additional charge to hear matters pertaining to possession, auction and withdrawal; however, the concerned Presiding Officer at DRT Lucknow has resigned, and consequently, the proceedings relating to DRT Jabalpur are presently stalled due to the absence of a Presiding Officer. In such circumstances, it is submitted that the petitioner has been left remediless and has been constrained to invoke the writ jurisdiction of this Court, as otherwise, the very purpose of filing the second appeal before the DRT would be defeated and the secured asset may be taken into possession and auctioned. Learned counsel has also placed reliance upon an order dated 08.04.2026 passed by the High Court of Madhya Pradesh, wherein it has been directed that no coercive action shall be taken against the petitioner therein till the second appeal is decided by the concerned DRT, subject to compliance with the directions issued by the concerned Tahsildar and other authorities. Accordingly, it is prayed that the interim application be considered and appropriate interim relief be granted in favour of the petitioner.

<i>Shayna</i>	Learned State counsel opposes the prayer for interim relief and submits that the impugned action has been taken in accordance with law. I have heard learned counsel for the parties and perused the material available on record. Considering the submissions made by learned counsel for the petitioner, particularly the fact that the Debts Recovery Tribunal, Jabalpur is presently non-functional, and further that the Presiding Officer of the Debts Recovery Tribunal, Lucknow (holding additional charge) has also resigned, due to which the second appeal preferred by the petitioner could not be taken up for consideration. As such, purely as an interim measure, it is directed that the effect and operation of the impugned order dated 06.04.2026 shall remain stayed till the next date of hearing. Accordingly, I.A. No.01 is hereby allowed. List the matter in first week of July, 2026 for further orders. Sd/- (Amitendra Kishore Prasad) Judge
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