2026:CGHC:21328

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2261 of 2026

1 - Chhattisgarh Rajya Gramin Bank Through Authorised Officer Vipin Singh Chandel, Aged About 44years Regional Office, Durg, District Durg Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department Raipur District Raipur Chhattisgarh.

2 - District Magistrate- -Cum -Collector, Durg District Durg Chhattisgarh

3 - Noor Mohammad, S/o Abdul Vasind Qureshi R/o House No.E-1/659, Ward No. 21, Aditya Nagar, Titurdih Tehsil Durg, District Chhattisgarh.

... Respondent(s)

(Cause Title is taken from CIS System)

For Petitioner	:	Mr. Saket Pandey, Advocate
For State	:	Ms. Anusha Naik, Dy. Govt. Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

07/05/2026

1. The petitioner has filed this writ petition seeking following reliefs:

> *"10.1. That, the records pertaining to the revenue case of the petitioner, may be kindly called for the kind perusal of this Hon'ble Court.*
>
> *10.2 That, the Hon'ble Court may kindly direct the respondent authority to decide the Revenue Case No. 202512100100013/08/2025-2026 as per section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act of 2002, in the interest of justice.*
>
> *10.3. That any other relief which this Hon'ble court may deem fit and just in the facts and circumstances of the case."*

2. Facts of the case, as projected, are that the petitioner is a Bank engaged in providing financial assistance to borrowers in the ordinary course of its banking business. It is the case of the petitioner that financial assistance was extended to the borrowers, who, after availing the loan facility, committed default in repayment of the outstanding dues. Consequently, the loan account of the borrowers was classified as a Non-Performing Asset (NPA) in accordance with the applicable banking norms and guidelines. It has been stated that the borrowers had mortgaged and created security interest over their immovable property in favour of the petitioner Bank as security for repayment of the loan

amount. Upon classification of the loan account as NPA, the petitioner initiated proceedings under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the Act of 2002"). A demand notice under Section 13(2) of the Act of 2002 was issued calling upon the borrowers to liquidate the outstanding dues within the prescribed period. Despite service of notice under Section 13(2) of the Act of 2002, the borrowers failed to discharge their liability and repay the outstanding amount. Thereafter, possession notice was also issued by the petitioner Bank in accordance with law. It has further been averred that in order to take physical possession of the secured asset, the petitioner preferred an application under Section 14 of the Act of 2002 before the District Magistrate/Collector on 09.12.2025, which was registered as Revenue Case No. 202512100100013/08/2025-2026. According to the petitioner, though the statutory scheme contemplates expeditious consideration of an application under Section 14 of the Act of 2002, no order has been passed by the competent authority till date. Aggrieved by the inaction on the part of the respondent authorities in not deciding the application preferred under Section 14 of the Act of 2002, the petitioner has filed the present writ petition seeking appropriate directions.

3. Learned counsel for the petitioner submits that the petitioner Bank has already exhausted the statutory procedure contemplated

under the Act of 2002 by issuing notice under Section 13(2) and thereafter taking further steps for enforcement of security interest. It is contended that despite sufficient opportunity having been granted, the borrowers failed to repay the outstanding dues and therefore the petitioner was constrained to initiate proceedings under Section 14 of the Act of 2002 for obtaining assistance from the District Magistrate in taking possession of the secured asset. Learned counsel further submits that the application under Section 14 was filed on 09.12.2025 and the same is pending consideration before the Collector/District Magistrate without any justification. It is argued that the proceedings under Section 14 are administrative in nature and involve only verification of compliance of statutory requirements and not adjudication of disputes between the parties. Placing reliance upon the statutory scheme, learned counsel submits that the authority concerned is required to decide the application within the time prescribed under the statute and such proceedings cannot be kept pending indefinitely. It is further argued that though more than sixty days have elapsed from the date of filing of the application, no order has been passed till date, thereby frustrating the very object of the Act of 2002, which has been enacted for expeditious recovery of public money and enforcement of security interest. Learned counsel therefore prays that a direction be issued to the concerned authority to decide the application filed by the petitioner under Section 14 of the Act of 2002 within a stipulated period.

4. Per contra, learned State counsel submits that the application preferred by the petitioner under Section 14 of the Act of 2002 is pending before the competent authority and the same shall be considered in accordance with law. It is submitted that if this Court directs the Collector/District Magistrate to consider and decide the pending application within a reasonable time frame, the State would have no objection.

5. Heard learned counsel for the parties and perused the documents available on record.

6. The limited grievance raised in the present writ petition is with regard to non-consideration of the application preferred by the petitioner Bank under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

7. From the record, it appears that after classification of the loan account as NPA, the petitioner initiated proceedings under the provisions of the Act of 2002 and thereafter preferred an application under Section 14 before the competent authority on 09.12.2025 for taking possession of the secured asset. The said application is stated to be pending consideration before the Collector/District Magistrate.

8. Considering the nature of proceedings under Section 14 of the Act of 2002 and also taking into account the fact that the statute

contemplates expeditious disposal of such applications, this Court is of the opinion that the ends of justice would be served if a direction is issued to the competent authority to decide the pending application within a time-bound manner.

9. Accordingly, without expressing any opinion on the merits of the case, the present writ petition is disposed of directing the Collector/District Magistrate concerned to consider and decide the application filed by the petitioner under Section 14 of the Act of 2002, strictly in accordance with law, within a period of 45 days from the date of receipt of certified copy of this order.

10. It is made clear that this Court has not expressed any opinion on the entitlement of the petitioner and the competent authority shall pass an independent order in accordance with law.

No order as to costs.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shayna