

IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(C) No.7362 of 2025

ADITYA BIRLA HOUSING FINANCE LTD, a company incorporated under the companies act having its registered office at Indian Rayon Compound, PO & PS Veraval, Dist-Ahmedabad, State- Gujarat 362266 & having its branch at 3rd Floor, Saluja Tower, P P Compound, Sujata Chowk, Main Road, PO & PS Hindpiri, Dist-Ranchi - 834001, Jharkhand and also at 31 Chowringhee Road, Bangur BFL Building, 2nd Floor, PO & PS- Park Street, Dist-Kolkata, State West Bengal-700016 through its authorised officer Khushboo Saboo, presently posted as a Legal Manager, ADITYA BIRLA HOUSING FINANCE LTD, 31 Chowringhee Road, Bangur BFL Building, 2nd Floor, PO & PS- Park Street, Dist-Kolkata, State West Bengal-700016

... **Petitioner(s).**

Versus

1. The State of Jharkhand, through the Secretary, Department of Personnel, Administrative Reforms and Rajbhasa, Government of Jharkhand, Project Building, P.o & P.S Dhurwa, District Ranchi Jharkhand.
2. The Deputy Commissioner, Ranchi, Near Collectorate, PO, PS & Dist-Ranchi.
3. Amar Bage (in the capacity of available Legal Heir Of Late Kusum Bage), Flat no.304, 3rd Floor, Block- A Akansha Enclave, Standing Over RS Plot No. 808, khata No.1, mouza-Chutia, PS -Chutia, Thana no. 211, Dist- Ranchi, Jharkhand-834001.

Also At Purana Thana Colony, Bhurkunda, Near School River side, Ramgarh, Jharkhand 829135.

At present At C/o Central Coal Fields Limited, Central Coalfields Limited, Hospital, PO and PS Bhurkunda, Dist-Ramgarh, Jharkhand-829135

... **Respondent(s).**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Bharat Kumar, Advocate

For the State : Mr. Ashok Kr. Yadav, Sr. SC-I

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03 /23.07.2026: Heard the learned counsel representing the petitioner and the learned counsel representing the respondents.

2. The petitioner is not pressing prayer no. 1. He is confining

his prayer to prayer nos. 2 and 3.

3. This case has been listed today under the heading for “Order” as notice has not been served upon the respondent no. 3 who is son of the borrower which was issued pursuant to the order dated 08.01.2026.

4. So far as the remaining prayer of the petitioner is concerned, he is praying for a direction upon the District Magistrate, Ranchi to dispose of his application under section 14 of the SARFAESI Act which has already been filed and is kept pending.

5. This Court in WP(C) No. 4270 of 2026 in the case of **“Jharkhand Gramin Bank vs. State of Jharkhand and Others with analogous cases”** while discussing the law and considering the judgment of the Hon’ble Supreme Court has held that the borrower has got no role to play in an application filed under Section 14 of SARFAESI Act before the Magistrate. Further, it has been held that there is no adjudicatory power vested upon the District Magistrate under Section 14 of SARFAESI Act. Further, the law is also clear that if the borrower is aggrieved by any order passed his remedy lies under Section 17 of SARFAESI Act. There is no concept of principle of natural justice at the stage of Section 14 of SARFAESI Act so far as the borrower is concerned. The conditions laid down under Section 14 of SARFAESI Act has only to be satisfied by the Deputy Commissioner and then, only he has to pass an order in terms of Section 14 of SARFAESI Act that too, within the time frame without any delay. Thus, this case is squarely covered by the judgment passed by this Court in WP(C) No. 4270 of 2026.

6. Considering the aforesaid fact, it is not necessary to issue notice and to give an opportunity of hearing to the proposed borrower or his legal representative thus, this writ petition is **disposed of** directing the Deputy Commissioner, Ranchi to pass an appropriate order within a period of 30 days from the date of

receipt of the copy of this order in terms of Section 14 of SARFAESI Act, considering the judgment passed by this Court in WP(C) No. 4270 of 2026 in the case of “**Jharkhand Gramin Bank vs. State of Jharkhand and Others with analogous cases**”.

(ANANDA SEN, J.)

23.07.2026
Tanuj/CP-2

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