

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 7296/2026

Mr. Abhimanyu Chahar, S/o Sh. Sudesh Chahar, Add. - 50 Hudda
Sector 20, Sirsa Tehsil, Sirsa - 125055, Haryana

----Petitioner

Versus

1. HDFC Bank Limited, Having Its Registered Office At HDFC Bank House, S.B. Marg, Lower Parel (West), Mumbai - 400013 And Branch Office At 4Th Floor, Time Square Building, 10 Central Spine, Vidhyadhar Nagar, Jaipur, Rajasthan - 302023, Through Its Authorized Signatory Sh. Karunesh Shrivastav
2. M/s. Anmol Infra, Through Its Partners, Add - 2nd Floor, Shop No. 8 C, Narayan Nagar, Hanumangarh Jn, Hanumangarh - 335512, Rajasthan
3. Mr. Mehak Garg S/o Sh. Satya Pal Garg, Add - F 130/131, Ward No. 1 Riico 2 Phase Hanumangarh Jn, Hanumangarh-335512, Rajasthan.
4. Mr. Krishna Kumar S/o Sh. Banwari Lal, Add G-192 New Civil Lines Near Collectrate Office, Hanumangarh-335512, Rajasthan.
5. Mr. Rajendra Kumar S/o Sh. Richpal Singh, Add H No. 2-3, Shyam Singh Colony, Hanumangarh Jn, Hanumangarh-335512, Rajasthan
6. Mr. Dhruv Rinwa S/o Sh. Mahaveer, Add 266, New Civil Lines, Hanumangarh Jn, Hanumangarh-335512, Rajasthan

----Respondents

For Petitioner(s)	:	Mr. Hemant Taylor, Advocate
For Respondent(s)	:	

HON'BLE MR. JUSTICE VINOD KUMAR BHARWANI
Order

08/05/2026 :

Instant writ petition has been filed by the petitioner under Article 227 of the Constitution of India against the impugned order dt.06.04.2026 passed by the Court of Debts Recovery Tribunal, Jaipur, in Case No.OA/1099/2023 titled as *HDFC Bank Vs. Ms. Anmol Infra &*

Others, whereby the Id. Tribunal has declined to take on record the reply filed by the defendant No.4 (petitioner).

The Court of Debts Recovery Tribunal, Jaipur vide order dt.06.04.2026 had passed the following order:-

"In this matter, defendant Nos.1,2, 3 & 4 has not filed reply, their right to file reply stands closed. So far as other defendants are concerned, whose reply is filed within the stipulated time period, the same will be taken on record."

As per Section 20 of the Recovery of Debts & Bankruptcy Act, 1993, the petitioner has an alternative remedy to file an appeal against the impugned order before the Debts Recovery Appellate Tribunal. Therefore, the present writ petition is not maintainable in view of availability of an alternative statutory remedy.

Heard. Perused.

This Court is of the opinion that the present writ petition cannot be entertained for the very reason that the alternative remedy against the aforesaid order exists and is available with the petitioner under the provisions of Section 20 of the Recovery of Debts & Bankruptcy Act, 1993,

It is a well settled principal of law that the writ jurisdiction under Article 227 should not be exercised unless the alternative remedy provided under the statutes has been exhausted, save in exceptional circumstances.

Accordingly, the present writ petition is dismissed on the ground of availability of an alternative & efficacious remedy. However, it is made clear that the petitioner be at liberty to take recourse to the alternative lawful remedy available to him in accordance with the provisions of law before the Id. Tribunal.

However, it is made clear that the period taken in pursuing the present petition (from filing of petition till the date of this order) shall be excluded in computing the period of limitation for filing of petition before the concerned Court.

Pending application, if any, also stands disposed of.

(VINOD KUMAR BHARWANI),J

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