

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14985 of 2010

***Nikhilesh Das @ Dr. Nikhilesh
Das***

....

Petitioner

Mr. B. Mohanty, Advocate

-versus-

***The Authorised Officer, UCO
Bank, Bhubaneswar and others***

....

Opp. Parties

Mr. S.N. Das, ASC

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK**

ORDER

14.02.2022

Order No.

16.

1. A very detailed order has been passed by this Court on 19th January, 2011 and the present order should be read in continuance thereof.

2. Pursuant to the order passed on that date, a detailed report dated 5th August, 2013 was submitted by the DSP, CID, Crime Branch, Odisha, Cuttack. When the case was heard on 22nd August 2013, a direction was issued to the CID, Crime Branch to proceed with the case in accordance with law and take consequential steps.

3. The Court expresses the hope that the case has proceeded in accordance with law and that all necessary steps were taken.

4. The subsequent sale of the property in question by Jogendra Nath Rout, a purported Power of attorney holder to authorize Biraj Laxmi Rout on 10th November 2010 despite the interim order passed by this Court on 15th September, 2010 was

obviously null and void and is declared as such. This Court is informed that the Petitioner as owner continues to remain in possession of the property in question. Therefore, the impugned auction notice seeking to sell the Petitioner's property, despite the Petitioner not being borrower of any loan or guarantor of any loan from the UCO Bank, is hereby set aside. No further directions are called for.

5. The writ petition is disposed of.

6. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

KC Bisoi

