

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5748 of 2003

Namita Mohapatra

....

Petitioner

Mr. Somanath Nanda, proxy counsel
on behalf of Mr. K.N. Das, Advocate

-versus-

**Registrar, Debts Recovery
Tribunal, Cuttack & others**

....

Opposite Parties

Mr. Tuna Sahu,
Advocate for the O.P. No.3-Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

11.01.2022

Order No.

- 14.** 1. This matter is taken up through Virtual Mode.
2. The petitioner is stated to have purchased Ac.0.015 decimals from the owner, who had mortgaged a larger area including the area purchased by the petitioner with the Bank for raising a loan.
3. Learned counsel for the Bank submits that on deposit of the price of the proportionate area in the possession of the petitioner (where she had constructed her residential property), the charge of the Bank qua that stands released in favour of the petitioner. Hence, no cause of action to maintain the present writ petition.
4. In view of the above, the writ petition is dismissed as infructuous. However, liberty is given to the petitioner to seek revival of the petition within one month from today, by making an application, in case any cause of action still survives.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

January 11th, 2022
Cuttack

AKK

