

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 15875 of 2007

Saroj Das

.... Petitioner

Mr. H.M. Dhal, Advocate

-versus-

OSFC and Another

.... Opposite Parties

Mr. N.C. Mishra, Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAİK

Order No.

ORDER
16.02.2022

03. 1. A sum of Rs.1,35,52,290/- was due from the Petitioner to the Opposite Party - Odisha State Financial Corporation (OSFC) and for recovery of the same the truck belonging to the Petitioner was sought to be brought to sale by auction. At that stage the present writ petition was filed and while issuing notice on 12th December, 2007 the auction of the truck was stayed. The possession remained with the OSFC but again it could not do anything because of the pendency of the present writ petition.
2. As a result, in the last fifteen years not a penny has been paid by the Petitioner and the OSFC has also not managed to recover any sum at all. The truck clearly has been reduced to 'Zero' value because of the depreciation. The net result is loss to OSFC and undeserved gain to the Petitioner.

3. On this short ground, the Court dismisses the writ petition. The interim order dated 12th December, 2007 stands vacated.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/P.A.

