

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1771 of 2022

AO, Asset. Reconstruction **Petitioners**
Company India Ltd. &
another

Proxy counsel Mr. R. Bose on behalf of
Mr. V. Wadhera, Advocate

-versus-

M/s. Ekalavya Career **Opp.party**
Academy Trust

None

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO

ORDER (Oral)
01.11.2022

Order No.

1. This matter is taken up through hybrid mode.

1. The writ petition has been filed by the petitioner-Asset Reconstruction Company India Limited challenging the order dated 31.05.2021 passed by the learned Debt Recovery Tribunal, Cuttack restraining them from confirming the Private Sale in favour of the purchaser of a secured asset of the opposite party-private trust, who had availed certain credit facilities from United Bank of India which was assigned to the petitioner no.2- Asset Reconstruction Company of India Limited.

2. Being aggrieved by the order passed by the Debt Recovery Tribunal, Cuttack, the petitioners approached the learned Debt Recovery Appellate Tribunal, Kolkata.

3. The present writ petition has been filed, inter alia, with the following prayer :

“(i) Your petitioner be directed to confirm the Private Sale held on 31st May 2021 in favour of the purchaser;

(ii) In the alternative, pass an order directing the learned Debts Recovery Tribunal, Cuttack to expeditiously hear, adjudicate and dispose off S.A.No.64 of 2021 in a time bound manner.”

4. Learned proxy counsel, Mr. R. Bose on behalf of Mr. V. Wadhera, learned counsel appearing for the petitioners submits that the learned Appellate Tribunal, Kolkata in a parallel proceeding pending before it, has granted relief as sought for in the writ petition, therefore, the petitioners may be permitted to withdraw the writ petition.

5. Accordingly, the writ petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

November 1st 2022
Cuttack

Gs/Radha