

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 1843 of 2022

***M/s. S.M.Fashion and
another***

....

Petitioners

Mr.S.P. Mishra, Sr Advocate
along with Ms. Ekta Agarwal, Advocate

-versus-

***Chief Manager-cum-
Authorised Officer, Union
Bank of India, Keonjhar
and another***

....

Opp. Parties

Mr. Anurag Pati, Advocate

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO**

**ORDER (Oral)
25.01.2022**

Order No.

- 02.** **1.** This matter is taken up through virtual mode.
- 2.** Petitioner No.1-a proprietor concern of Mr. Hafizur Rahaman (petitioner no.2), has approached this Court challenging the auction sale notice dated 18.12.2021 (Annexure-4) published by the authorised officer of the O.P.-Union Bank of India, Keonjhar Branch fixing the auction sale of the mortgaged property for 20th January, 2022.
- 3.** Upon auction having failed, learned counsel for the petitioner prays for permission to withdraw the present writ petition in order to pursue the case for regularization of the NPA account in the light of Rs.10 lakhs already deposited, which can be appropriated

towards clearance of the amount overdue and the fact that the petitioner is still an ongoing business concern.

4. Counsel appearing for the Bank upon advance notice, very fairly states that if the petitioner makes a representation and satisfies the parameters for upgradation of such NPA account, the same shall be considered and disposed of within thirty days of the representation, in accordance with law.

5. The writ petition is dismissed as withdrawn with the aforesaid liberty to seek regularizing/upgradation of the NPA account(s), in accordance with law.

6. 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 No.514 and 515 dated 7th January, 2022.

(Jaswant Singh)
Judge

(M.S.Sahoo)
Judge

January 25th, 2022
Cuttack/ dutta

