

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C). No.2097 of 2022

Sk. Hafizullah

....

Petitioner

Mr. Saibrat Rath, Advocate

-versus-

***Collector & District Magistrate,
Kendrapada & Others***

....

Opposite Parties

Mr. Tuna Sahu, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
18.05.2022

Order No.

- 05.**
- 1.** This matter is taken up by virtual/physical mode.
 - 2.** The Petitioner as the auction purchaser has made two prayers (i) for registration of the sale deed *qua* the property covered under the sale certificate; and (ii) directing the Bank/secured creditor to take steps to handover the actual physical possession of the secured asset purchased by the Petitioner in the auction sale for recovery of the outstanding liability of the defaulting borrower.
 - 3.** As regards the prayer no.(i), it is conceded that the sale deed has been registered on 2nd May, 2022. In respect of the second prayer, counsel for the Bank undertakes to file an application under Section 14 of the SARFAESI Act, 2002 within three weeks for securing an order for providing of official assistance to take over actual physical possession of the secured asset, sold to the Petitioner.

4. In view of the above, it is conceded that nothing more would survive for adjudication in this writ petition.

5. Accordingly, the writ petition is dismissed as infructuous.
The Bank would be bound before stands made through the counsel.

(Jaswant Singh)

Judge

(M.S. Raman)

Judge

Aks

May 18, 2022 Cuttack

