

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18364 of 2014

***Utkal Electro Casting Pvt.
Ltd.***

.....

Petitioner

*Mr. Milan Kanungo, Sr.
Advocate*

Vs.

***Industrial Promotion &
Investment Corporation of
Orissa Ltd., Bhubaneswar***

.....

Opposite party

Mr. S. Pattnaik, Advocate

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

**ORDER
29.04.2022**

Order No.

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This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner and Mr. S. Pattnaik, learned counsel for the opposite party.

3. The petitioner has filed this writ petition to quash the sale notice dated 28.08.2014 notified by IPICOL for sale of its land measuring an area Ac.5.83 dec. along with building standing thereon and further to direct the opposite party to make an inventory of the petitioner's property/land measuring an area Ac.5.83 dec. (IDCO plot no.7/A of mouza-Gundichapada, Dhenkanal) building and other assets thereon.

4. While entertaining the writ petition, this Court, on 09.04.2015, passed interim order to the effect that "*As an interim measure, we direct that the auction of sale notice*

under Annexure -6 to the Misc. Case may continue but confirmation of the same shall not be made till further orders.”

Thereafter, this Court, vide order dated 08.05.2018, passed the following order:

“Sri B.M. Pattnaik, learned Senior Counsel appearing for the opp. party –IPICOL on instruction submits that the present outstanding loan dues of the petitioner will be around Rs.22.00 crores.

In view of the quantum of loan dues payable we direct that on the petitioner depositing an amount of Rs.02.00 crores with the opp. Party-IPICOL within four weeks hence, the interim order dated 09.04.2015 shall continue till the next date.

It is needless to say that if the petitioner does not deposit an amount of Rs.02.00 crores as has been directed within the stipulated period, the IPICOL shall be at liberty to take necessary action in respect of the mortgaged property as provided in law.

5. Mr. S. Pattnaik, learned counsel appearing for the opposite party stated that even though such order was passed, but the same has not been complied with within the time stipulated.

6. Since the order of this Court has not been complied with, nothing remains to be adjudicated in the present case. Accordingly, the writ petition stands disposed of.

Alok /sukanta

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(**DR. B.R. SARANGI**)
JUDGE

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(**SAVITRI RATHO**)
JUDGE