

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24572 of 2014

Sk. Salim and others **Petitioners**
None

-versus-

**Durga Charan Sabat and
others** **Opp. Parties**
None

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. RAMAN

Order No.

ORDER (Oral)
17.03.2022

- 03.** 1. This matter is taken up through virtual/physical mode.
2. The petitioners claiming themselves to be *bona fide* purchaser of the land in question vide sale deeds dated 12.01.2011, which stood mortgaged with the State Bank of India, Kolkata Branch, upon a loan raised by M/s. Sradha Foundation Pvt. Ltd., Howrah/O.P. No.3, have approached this Court challenging the notice dated 01.12.2014 issued by the Recovery Officer, Debts Recovery Tribunal, Kolkata putting the mortgaged property to auction sale for satisfying the decree of recovery passed by the DRT.
3. The matter has been listed for the first time before this Court today.

4. None has put in appearance for the parties. Probably because of efflux of time, the petitioners have lost interest in pursuing the matter or the present writ petition has become infructuous.

5. In view of the above, the writ petition is dismissed as infructuous. However, liberty is granted to the petitioners to seek it's revival in case any cause of action still subsists by making an application not later than six weeks of receipt of the certified copy of the order.

March 17th, 2022
Cuttack

AKK

