

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No.26 of 2022

D. Padma @ Danda Padma

.... Petitioner

Mr. N.K. Sahu, Advocate

-versus-

***Union Bank of India,
Bhubaneswar and others***

.... Opp. Parties

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

ORDER

15.03.2022

Order No.

02.

1. This review petition has been being filed pursuant to the order passed by the Supreme Court of India on 21st February, 2022 in SLP (C) No.2528 of 2022. The relevant portion of the order of the Supreme Court concerning the above SLP reads as under:

“Shri Siddhartha Dave, learned Senior Advocate appearing on behalf of the petitioner, has vehemently submitted that number of grounds were raised before the High Court on the legality and validity of the auction sale. However, none of them has been dealt with and considered by the High Court. The High Court has non-suited the petitioner mainly on the ground that the petitioner is a defaulting borrower and even the payments under the OTS Scheme were not made by the petitioner. It is submitted that the aforesaid has nothing to do with the legality and validity of the auction sale.

Having noted the submission on behalf of the petitioner, we relegate the petitioner to approach the High Court by way of a review application and point out the grounds which were raised on the legality and validity of the auction sale and as and

when such review application is made, the High Court to consider the same in accordance with law and on its own merits.

However, it is made clear that we have not expressed anything on merits in favour of the petitioner and it is for the High Court to consider the same in accordance with law and on its own merits.

With this, the Special Leave Petition stands disposed of.

It is also made clear that if the petitioner is aggrieved by the decision in the review application, it will be open for the petitioner to move this Court again.

Pending application stands disposed of.”

2. In that view of the matter, the order passed by this Court 2nd February, 2022 is recalled to the above limited extent as permitted by the Supreme Court and W.P.(C) No.3360 of 2022 is restored to the file.

3. The review petition is disposed of.

4. W.P.(C) No.3360 of 2022 be listed before the roster Bench on 18th April, 2022.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge