

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6339 of 2022

Saina Kar

.... Petitioner

Ms. Minati Behera, Proxy Counsel
on behalf of Mr. P.C. Behera, Advocate

-Versus-

***Punjab National Bank &
Others***

.... Opp. Parties

Mr. Anjan Kumar Biswal,
Advocate for the Bank

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

Order No.

**ORDER (Oral)
27.10.2022**

08. This matter is taken up through virtual/physical mode.

1. The defaulting borrower in a Housing Loan Account availed from Punjab National Bank has laid challenge to the E-auction Sale Notice dated 18.02.2022 issued by the Secured Creditor/Punjab National Bank fixing the E-auction sale of the secured asset on 15.03.2022 for recovery of an aggregate outstanding liability of more than Rs.2 crores.

2. Mr. Biswal, appearing for the Bank at the outset states that the present Writ Petition is not maintainable as the petitioner has already filed a S.A. No.4 of 2021 before the Debts Recovery Tribunal, Cuttack challenging the previous auction sale notice, which had failed however an application for amendment challenging the aforesaid E-auction Sale

Notice stands already filed. He thus submits parallel proceedings apart from the availability of an efficacious alternative remedy, would not be maintainable.

3. Faced with the aforesaid situation, learned counsel for the petitioner prays for permission to withdraw the present Writ Petition to enable the petitioner to pursue his available remedies in accordance with law.

4. In view of the above, the Writ Petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

27th October, 2022
Cuttack