

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9752 of 2020

<i>M/s. Hindustan Agency</i>		<i>Petitioner</i>
		Mr. Radheshyam Chimanka, Advocate with Ms. Suvalaxmi Devi, Advocate
		-versus-
<i>Tarak Nath Das and Others</i>		<i>Opposite Parties</i>
		Mr. Gurudutta Kar, Advocate for Bank-O.P. Nos. 2 to 4

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

Order No.

**ORDER (Oral)
24.08.2022**

- 03.
1. This matter is taken up through virtual/physical mode.
 2. The Petitioner is a partnership firm-auction purchaser of the secured assets in auction conducted by the Bank of Baroda/secured creditor towards the outstanding liability of the borrower-Tarak Nath Dash-Opposite Party No.1.
 3. The auction purchaser-Petitioner has filed the present writ petition challenging the judgment and order dated 29th February, 2020 passed by the DRT, Cuttack, whereby the auction sale in favour of the Petitioner has been set aside in the S.A. filed by the borrower. No doubt the Petitioner has availed the remedy of appeal before the learned DRAT, Kolkata, however, in view of the non-availability of any Presiding Officer, the present writ petition has been filed.
 4. At the time of hearing, in view of the Appellate Tribunal being fully functional and the appeal of the Petitioner-auction purchaser being pursued, it is stated that the

present writ petition has become infructuous and hence, withdrawal memo has been filed.

5. Accordingly, the writ petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Jyostna August 24th, 2022
Cuttack

