

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11991 of 2013

***M/s. Pawan Enterprises and
Another***

.... Petitioners

Mr. Subhrajeet Jena, Proxy Counsel
on behalf of Mr. Gouri Mohan Rath, Advocate

-versus-

***The State Bank of India,
Commercial Branch, OSIC
Building, Madhupatna,
Cuttack***

.... Opp. Party

Mr. Subrat Kumar Mohanty,
Advocate for the Bank

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

**ORDER (Oral)
11.07.2022**

Order No.

- 06.** **1.** This matter is taken up through hybrid arrangement (virtual/physical mode).
- 2.** The defaulting borrower has filed the present Writ Petition assailing the order dated 11th April, 2013 passed by the Debts Recovery Appellate Tribunal, Kolkata (Annexure-6), whereby the order dated 5th September, 2007 passed by the Debts Recovery Tribunal, Cuttack allowing the Original Application filed by the Bank for recovery of the outstanding dues has been confirmed/upheld, while dismissing the appeal.

3. At the time of hearing, learned counsel for the petitioner states that they have no instructions to appear although it was filed originally through their office.

4. Keeping in view the nature of the dispute, and there being no interim stay, it is construed that by efflux of time and no interest being evinced by the petitioner in pursuing the present Writ Petition, the petition has become infructuous.

5. In view of the above, the Writ Petition is dismissed.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

11th July, 2022
Cuttack