

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26834 of 2017

Harekrushan Tripathy

.... Petitioner

Mr. H. K. Moharana, Advocate

-versus-

***Presiding Officer, Debt
Recovery Tribunal, Cuttack
and Others***

.... Opp. Parties

None

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

**ORDER (Oral)
12.09.2022**

Order No.

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

1. The petitioner is stated to have availed a Term Loan/Housing Loan for an amount of Rs.6 Lakhs for construction of his house from Bank of Baroda, Paradeep Branch, District-Jagatsinghpur.

2. By filing the present Writ Petition, a prayer has been made for issuing a Mandamus to the Bank for refunding the amount of Rs.6 Lakhs together with interest deposited before the DRT, Cuttack during the pendency of the Original Application filed by the Bank for recovery of outstanding liabilities, in terms of compliance of the interim order dated 6th March, 2013 passed by the DRT as a pre-condition for getting the outstanding liabilities settled by way of a compromise. It is claimed that since the compromise

has not been effected/achieved, it was incumbent upon the DRT to order the refund of the deposited amount.

3. It is apparent that right from the filing of the Writ Petition on 21.12.2017, the defects pointed out by the Stamp Reporter have not been removed nor any steps taken for getting the case listed.

4. At the time of hearing, learned counsel for the petitioner prays for permission to withdraw the Writ Petition.

5. The Writ Petition is accordingly dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

AKK

12th September, 2022
Cuttack