

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.11766 of 2022

Pramod Kumar Sahoo

....

Petitioner

Mr. Arun Kumar Nayak, proxy counsel on behalf
of Mr. Sudeep Kumar Sarangi, Advocate

-versus-

***The Authorized Officer-cum-Regional
Manager & Others***

....

Opposite Parties

None

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

23.08.2022

Order No.

- 01.**
1. This matter is taken up by virtual/physical mode.
 2. Seeking to challenge notice dated 31st March, 2022 fixing the date of auction of property at Plot No. 493 in Khata No. 657 of Kujanga Tehsil, Jagatsinghpur district on 12th May, 2022 by Bank of Baroda in connection with default in repayment of loan availed by M/s. Senapati Motors, the Petitioner has filed the above mentioned writ petition.
 3. It is alleged that Smt. Jhili Gochayat (Opposite Party No. 3) who stood one of the guarantors whose property, Plot No. 493 in Khata No. 657 aforesaid has been slated to be auctioned on the aforesaid date.

The Petitioner placed on record the fact that the said Smt. Jhili Gochayat was arrayed as one of the Defendants in Civil Suit No. 64 of 2016 in the Court of learned Civil Judge (Senior Division), Jagatsinghpur. It is stated by the Petitioner that the aforesaid property as per Record of Rights stands in the name of Gulahm Hossain (father of Opposite Party Nos. 4 and 5) and Opposite Party No. 6 who executed agreement to sell the said property to the Petitioner. It is submitted by the Petitioner that he has challenged the subsequent sale deed executed by the Opposite Party Nos. 4 to 6 in favour of Smt. Jhili Gochayat (Opposite Party No.3) in the said suit.

4. When the matter is taken up today, Mr. Arun Kumar Nayak, proxy counsel on behalf of Mr. Sudeep Kumar Sarangi, counsel for the Petitioner filed a memo seeking permission to withdraw the writ petition with liberty to refile the writ petition, if cause of action still subsists. The said memo is taken on record.

5. In view of the memo filed, the Petitioner is allowed to withdraw the writ petition with the liberty as sought for.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge