

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.12766 of 2022

Dr. Sony Mohanty

....

Petitioner

Mr. Sukanta Kumar Dalai, Advocate

-versus-

Union Bank of India & Others

....

Opposite Parties

Mr. Arun Kumar Patra, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER

13.09.2022

Order No.

- 03.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner is a guarantor-cum-judgment debtor in a decree passed against the defaulting borrower including the guarantor for recovery of outstanding liability granted by DRT, Cuttack in O.A. No. 5 of 2005 filed by Union Bank of India, Main Branch, Bhubaneswar.
 3. On initial date of hearing, the following order dated 18th May, 2022 was passed:-
 2. It is contended that no doubt the property is being put to auction in execution of a decree with opportunity to all to participate, the Petitioner states that she has a prospective buyer, who can sufficiently protect the interest of the Bank keeping in view the realizable value as per the valuation report, while providing some relief to the hapless guarantor-Petitioner.

3. Issue notice for 14th July, 2022.
4. Mr. Arun Kumar Patra, counsel for the Caveator appears and waives notice on behalf of the Opposite Parties-Bank. Let requisite number of copies of the writ petition be served on him within three working days.
5. Notice be issued to Opposite Party Nos.3 to 9 by Registered Post with A.D. fixing a short returnable date. Requisites be filed within three working days.

4. At the time of hearing, counsel for the parties concede that the present writ has become infructuous in view of a compromise proposal offered by the Petitioner having been accepted vide sanctioned letter dated 17th August, 2022, copy of the same has been produced and retained for the purpose of record.

5. Mr. Sukanta Kumar Dalai, counsel for Petitioner in view of such compromise prays for disposal of the present writ.

6. In view of the above, the writ petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge