

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13763 of 2022

Basanta Kumar Pattanaik Petitioner

*Mr. Siba Narayan Biswal,
Advocate*

-versus-

***Authorised Officer -cum-
Chief Manager, Bank of Opp. Party
Baroda, Bhubaneswar***

Mr. K.M.H. Niamati, Advocate

**CORAM:
JUSTICE S.K. SAHOO
JUSTICE MURAHARI SRI RAMAN**

**ORDER
10.06.2022**

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the Bank.

The petitioner Basanta Kumar Pattanaik has filed this writ petition challenging the e-auction sale letter dated 16.05.2022 as well as the e-auction sale notice dated 17.05.2022 published in the daily News Paper under Annexure-1 series.

Mr. K.M.H. Niamati, learned counsel for the opposite party-Bank on instruction submitted that the outstanding loan dues against the petitioner as on 01.05.2022 is to the tune of Rs.91,15,686/- (rupees

ninety one lakhs fifteen thousand six hundred eighty six).

Learned counsel for the petitioner submits that the petitioner is ready and willing to deposit 25% (twenty five) percent of the outstanding dues and file an application for One Time Settlement/settlement of the loan dues before the opposite party and necessary order may be passed to consider the said application for One Time Settlement/settlement of the loan dues giving opportunity of hearing to the petitioner.

Considering the submissions made by the learned counsel for the respective parties, without entering into the merits of the case, this writ petition is disposed of with a direction that if the petitioner deposits 25% (twenty five) percent of the outstanding dues and simultaneously files an application for One Time Settlement/settlement of the loan dues within a period of two weeks from today before the opposite party, the same shall be considered in accordance with law by giving opportunity of hearing to the petitioner within a further period of two weeks and the decision taken thereon shall be communicated to the petitioner in writing. It is made clear that in the event the petitioner fails to deposit the amount as directed within the time stipulated, the opposite party-Bank is at liberty to take steps against the petitioner in accordance with law. Till consideration of such application for One Time Settlement/settlement of the loan dues, no coercive

action shall be taken against the petitioner. However, the process of auction shall continue but no final decision shall be taken till disposal of the said application.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Vacation Judge

(M.S. Raman)
Vacation Judge

I.A. No.7311 of 2022

04. In view of the order passed today in W.P.(C) No.13763 of 2022, this I.A. is also disposed of.

(S.K. Sahoo)
Vacation Judge

(M.S. Raman)
Vacation Judge

RKM