

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14557 of 2022

Nilima Balabantaray* *Petitioner

Mr.Tuna Sahu, Advocate

-versus-

State Bank of India, SARB Opp. Parties
Recovery Branch & others

Mr.A.K. Sharma

Addl. Government Advocate

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

ORDER
10.06.2022

Order No.

01.

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

Heard learned counsel for the parties.

This Writ Petition has been filed with the following prayer:

"The petitioner therefore prays that your Lordships would be graciously pleased to admit this Writ Petition, call for records, after hearing the parties issue writ/writs in the nature of certiorari/mandamus or any other writ/directions directing the Opp. Parties not to damage the existing structures situated over the schedule property and not to change the nature and character of the schedule properties till disposal of the S.A. No.63/2021 pending before the D.R.T., Cuttack.

And for this act of kindness the petitioner as in duty bound shall ever pray."

Mr. Tuna Sahu, learned counsel for the petitioner submitted that the petitioner has filed an interim application bearing Diary No.374 of 2021 arising out of S.A. No.63 of 2021 before the Debts Recovery Tribunal, Cuttack and direction may be given to the learned Tribunal to dispose of the same at the earliest.

Learned Addl. Government Advocate appearing for opposite party No. 4 has no objection to such prayer.

Considering the submissions made and in view of the limited nature of relief sought for, without expressing any opinion on the merits of the case, this Court directs Debts Recovery Tribunal, Cuttack to dispose of the interim application bearing Diary No.374 of 2021 arising out of S.A. No.63 of 2021 in accordance with law within a period of four weeks from the date of receipt of this order after hearing the learned counsel for the parties.

With the aforesaid direction, the Writ Petition stands disposed of.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Vacation Judge

(M.S. Raman)
Vacation Judge