

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 17218 of 2022

***M/s. Seven Hills Educational &
Healthcare Society, Jharsuguda &
Another***

.....

Petitioners

Mr. R. Panigrahy, Advocate

Vs.

***Chief Manager/Authorised Officer,
Indian Bank, Sambalpur***

.....

Opposite Party

Mr. Tuna Sahu, Adv.

CORAM:

**JUSTICE BISWAJIT MOHANTY
JUSTICE SAVITRI RATHO**

**ORDER
15.07.2022**

Order No.

01.

1. Though this matter is not in today's list, on being mentioned and in considering the urgency of the matter, the same is taken up by way of a special notice through hybrid mode.
2. Heard Mr. R. Panigrahy, learned counsel for the petitioners and Mr. Tuna Sahu, learned counsel for the opp. party-Bank through caveat.
3. In view of the order of the Supreme Court in ***ICICI Bank Ltd. and Others Vrs. Umakanta Mohapatra Etc. Etc.*** reported in (2019) 13 SCC 497 and clear enunciation of law in ***Phoenix ARC Private Limited Vrs. Vishwa Bharati Vidya Mandir & Ors.*** reported in (2022) 5 SCC 345 and in view of the remedy of appeal available under Securitisation and Reconstruction of Financial Assets and

Enforcement of Security Interest Act, 2002, we are not inclined to entertain this writ application. The petitioners if so advised, may approach the Appellate Authority under the above noticed Act.

4. Writ Petition is accordingly disposed of.

5. Issue urgent certified copy as per rules.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Sukanta

