

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 19141 of 2022

M/s. Gayatri Gas Enterprises

....

Petitioner

Mr. L. Samantaray, Advocate

-versus-

Indian Bank & Others

....

Opposite Parties

Mr. S.K. Dey, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

14.09.2022

Order No.

- 02.**
1. This matter is taken up by virtual/physical mode.
 2. Petitioner is a proprietorship concerned of Mr. Gagono Kumar Behera, which had availed a cash credit loan facility amounting to Rs.40,00,000/- in the year 2015, term loan amounting to Rs.1,30,000/- and housing loan of Rs.19,00,000/- from the Indian Bank, Kantabanji in the district of Bolangir in the year 2015-16. Due to financial indiscipline, the loan account was declared as NPA on 2nd May, 2022 leading to initiation of recovery process under Section 13 (2) of the SARFAESI Act, 2002 and finally culminating into the sale of the secured asset on 15th July, 2022. The auction purchaser is stated to have been issued a sale certificate dated 8th August, 2022 upon deposit of the entire sale consideration.
 3. By filing the present petition, the Petitioner has challenged to the sale notice at Annexure-4, whereby the auction sale was fixed for 15th July, 2022

4. At the time of hearing, counsel for the Petitioner prays for permission to withdraw the writ petition to enable the Petitioner to seek his remedy before the DRT. A memo to that effect is filed in Court, which is taken on record.

5. In view of the above, the writ petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

September 14, 2022

Cuttack

