

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20641 of 2022

***Chilukuri Satyanarayan &
Another***

.... Petitioners

Mr. Upendra Kumar Samal, Advocate

-versus-

***Indian Bank, Sambalpur &
Others***

.... Opp. Parties

None

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

24.08.2022

Order No.

- 01.** 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Both the principal borrower and the guarantor are before this Court challenging the order dated 9th February, 2022 (Annexure-3), whereby it was ordered to provide official assistance for taking over actual physical possession on the application under Section 14 of the SARFAESI Act, 2002 (for short, “the Act, 2002”) filed by the Secured Creditor/Bank. Further challenge is to the order dated 4th May, 2022 (Annexure-6), whereby the application moved by the petitioners seeking recalling of the aforesaid order on various grounds has been rejected.
3. At the time of hearing realizing that the proper remedy for challenging both the aforesaid orders would be an application under Section 17 of the Act,

2002, learned counsel for the petitioners prays permission to withdraw the present Writ Petition to enable his client to seek their remedy before the appropriate forum in accordance with law.

4. In view of the above, the Writ Petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

24th August, 2022
Cuttack

