

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.21810 of 2022

Bijaya Kumar Mallik

.....

Petitioner

Mr. H.S. Satapathy, Adv.

-Versus-

***A.O., Union Bank of India,
Jayadev Vihar Branch, BBSR & Others***

.....

Opp. Parties

Mr. Tuna Sahoo, Adv. for the Bank

CORAM:

JUSTICE S. TALAPATRA

JUSTICE M.S. SAHOO

ORDER

30.08.2022

Order No.

02.

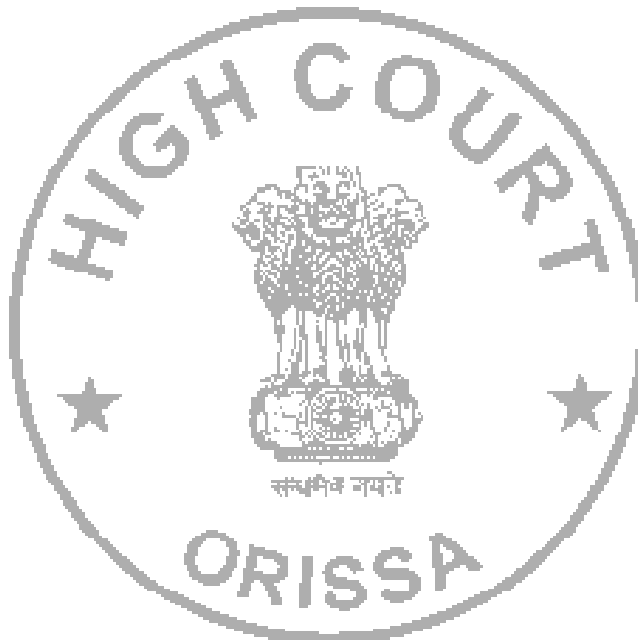
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Mr. Tuna Sahoo, learned counsel appearing for the bank Opposite Parties has submitted that the E-Auction has failed for non-participation of the intending bidders. According to Mr. Sahoo, the writ petition has thus become entirely infructuous.
3. But, Mr. H.S. Satapathy, learned counsel has submitted that in view of the failure of e-auction, the writ petition is partly infructuous, but the petitioner has made averments in the writ petition for One Time Settlement or settlement.
4. We find that the said submission has its roots in the pleading and as such, we observe that the petitioner is serious about a settlement. The petitioner shall file a detailed proposal seeking settlement. 10% of the outstanding amount be deposited in the bank within the said stipulated date as the condition-precedent. After such fresh proposal for settlement is received, the Bank-Opposite Parties

shall take up the matter for settlement and consideration. A sincere negotiation with the petitioner may find out a flexible arrangement for repayment.

5. In terms of the above the writ petition stands disposed of.
6. No order as to costs.
7. Urgent certified copy of this order be supplied as per rules.

(S. Talapatra)
Judge

Rati Ranjan



(M.S. Sahoo)
Judge