

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.27393 of 2021

Bishnu Charan Mohanty* *Petitioner

Mr. Birendra Kumar Mohapatra, Advocate

-versus-

Senior Branch Manager, *Opp. Parties*

Union Bank of India,

Keonjhar

NONE

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M. S. RAMAN

ORDER (Oral)

31.03.2022

Order No.

- 05.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The brief facts of the case are that the Petitioner i.e. Bishnu Charan Mohanty availed a loan of Rs.5,50,000/- from the Andhra Bank on 05.01.2016 by mortgaging his property located at Plot No.288/2236 and 156 under Khata No.276/254, Mouza-Nelung, District-Keonjhar.
- 3.** The Opposite Party No.1 i.e. Branch Manager, Union Bank of India filed a Civil Suit No. CS (III) No.04 of 2018 for realization of the amount due. The suit is still pending.
- 4.** The OP No.1 vide notice dated 31.03.2021 informed the Petitioner that the mortgaged property would be auctioned on 19.04.2021. It is the claim of the Petitioner that the said auction notice was published

without any notice under Section 13(2) and Section 13(4) of the SARFAESI Act, 2002.

5. The Petitioner has approached this Court to quash the auction sale notice dated 31.03.2021.

6. During the course of hearing, the Petitioner has filed a withdrawal memo dated 31.03.22 to withdraw the writ petition.

7. In view of the above memo, the Writ Petition is disposed of as withdrawn.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

March 31st 2022
Cuttack

AKPradhan

