

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.30949 of 2020

Biswamitra Prusty & Others ***Petitioners***

Mr. Asish Mishra, Proxy Counsel
on behalf of Mr. S. R. Mohanty, Advocate

-versus-

***Bank of Baroda, Zonal
Stressed Asset Recovery
Branch, CDA, Near Markat
Nagar, Cuttak and Another*** ***Opp. Parties***

Mr. G. D. Kar, Advocate for the Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
15.09.2022

Order No. **W.P.(C) No.30949 of 2020 & I. A. No.12582 of 2022**

03. This matter is taken up through virtual/physical mode.

1. The seven petitioners, being family members had made a joint successful bid in the e-auction held on 24th December, 2019 of a residential property put to auction for recovery of outstanding liabilities of the defaulting borrowers i.e. M/s. Anukul Bhandar, a partnership firm.

2. The Bank however in spite of issuing the Sale Certificate in favour of the petitioners, was unable to handover the actual physical possession of the purchased secured asset. Hence the present Writ Petition has been filed seeking a direction for refund of the sale price along with interest at the rate of 12%.

3. At the outset, learned counsel for the petitioners prays for permission to withdraw the Writ Petition in view of a settlement arrived at between the petitioners and the Bank.

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 In view of the above, the Writ Petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Sipun

15th September, 2022
Cuttack

