

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34110 of 2021

Pradeep Kumar Das

.....

Petitioner

Mr.N.Lenka, Advocate

- Versus-

***Branch Manager, Vijaya Bank,
Now Bank of Baroda, Baripada &
Anr.***

Opposite parties

CORAM:

JUSTICE BISWANATH RATH

**ORDER
18.01.2022**

**Order No.
01**

1. This matter is taken up through Video Conferencing Mode.
2. Heard the learned counsel appearing for the petitioner.
3. There is no denial by Mr.Lenka, learned counsel for the petitioner that the cheque involved was ultimately returned to the depositor by its bank on the endorsement that there is a mistake in transaction in spite of there is no sufficient money in the payer's account. In the circumstance and for bonafide action of the Bank, in releasing money in favour of the beneficiary and after coming know that there was illegal debitance requiring release of such debitance. The action of the Banker since involves a bonafide action, no application against the Bank would have been entertained by the permanent Lok Adaklat. It is at this stage of the matter, Mr.Lenka, learned counsel appearing for the petitioner wants not to pursue this writ petition in order to avail the remedy available under other

provision of law. It is in this view of the matter, the writ petition stands dismissed as withdrawn.

4. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.



(BISWANATH RATH)
JUDGE