

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.27068 of 2019
(Through hybrid mode)**

Madhusudan Sahoo

....

Petitioner

Mr. B.Rath, Advocate

-versus-

***The Manager Banking Ombudsma
and another***

....

Opposite Parties

Mr. N. Dash, Advocate

CORAM: JUSTICE ARINDAM SINHA

**ORDER
20.07.2022**

Order No.

04. 1. Mr. Rath, learned advocate appears on behalf of petitioner and submits, prayer of his client is for return of gold ornaments mortgaged as security for taking farmer loan. He submits, notice for sale of the ornaments by auction was issued on 19th March, 2015. On that very date his client deposited Rs.18,000/- as demonstrated by disclosure at page 8. Upon such deposit the loan was continued but thereafter, the bank wrongfully sold away the gold.

2. Mr. Dash, learned advocate appears on behalf of the bank and draws attention to disclosure in his client's counter being order dated 23rd September, 2017 made by District Consumer Disputes Redressal Forum, Kendrapara, on petitioner's claim on self same cause. He submits, the

Forum found that his client had not committed any deficiency in service as alleged by petitioner. This order was not challenged by petitioner. It has become a final adjudication on petitioner's grievance.

3. The writ petition is not directed against order dated 23rd September, 2017 made by the Forum. Instead, contention that the bank acted wrongfully. The action of the bank in causing sale of the ornaments was subject matter of the complaint, decided by the Forum and must be said, accepted by petitioner. In the circumstances, no order can be made.

4. With above observation, the writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

