

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36784 of 2021

***Bajarangi Agency and
Others***

.... Petitioners

Mr. Avijit Pal, Advocate

-versus-

Canara Bank and Others

.... Opp. Parties

Mr. A.K. Mishra-2, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (ORAL)

10.05.2022

Order No.

- 02.** **1.** This matter is taken up by virtual/physical mode.
- 2.** Petitioner No.1 is the partnership firm of Petitioner Nos.2 and 3. By filing the present writ petition, a writ of mandamus is sought for issuing a direction to the Bank to consider the fresh OTS proposal of the Petitioner-defaulters as per the RBI guidelines.
- 3.** At the time of hearing, learned counsel for the Petitioners submits that the Petitioners have already filed a Securitisation Application No.64 of 2020 before the DRT, Cuttack and the accepted fact that in view of the recent judgment passed by the Hon'ble Supreme Court in ***Bijnor Urban Cooperative Bank Limited, Bijnor and others Vrs. Meenal Agarwal and others, AIR 2022 SC 56*** no direction can be issued by the

Court to the Bank to accept the OTS proposals *dehors* the terms of the policy. Thus, he prays for withdrawal of the writ petition to enable his client to pursue their remedy in accordance with law.

4. In view of the above, the writ petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

May 10th, 2022
Cuttack

AKK

