

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.31542 of 2022

Suryamani Sahoo

.... Petitioner

Mr. Biswajit Nayak, Advocate

-versus-

***Canara Bank,
Chandrasekharpur Branch,
Bhubaneswar and Others***

.... Opp. Parties

Mr. P. K. Mohanty, ASC
(for O.P. Nos.3 to5)

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
08.12.2022**

(Hybrid Mode)

Order No.

- 02.** 1. The auction purchaser of a mortgaged property of the erstwhile borrower, in whose favour a Sale Certificate has been issued on 21st February, 2022 upon deposit of the entire sale consideration, is primarily aggrieved by the inaction of DCP, Bhubaneswar/Opposite Party No.4 and Inspector In-Charge, Nayapalli, Bhubaneswar/Opposite Party No.5 in implementing the order dated 16th March, 2022 (Annexure-2) passed by the District Magistrate & Collector, Khordha on an application moved under Section 14 of the SARFAESI Act, 2002 by the Bank, whereby official assistance was to be provided for taking over actual physical possession of the said mortgaged property so as to facilitate the further

handing over the possession to the petitioner, being the successful auction purchaser.

2. At the time of hearing, Mr. Mohanty, learned Additional Standing Counsel placed a letter dated 6th December, 2022 issued by the Office of Inspector In-Charge, Nayapalli, Bhubaneswar/Opposite Party No.5 indicating that the actual physical possession has been handed over to the Bank on 5th December, 2022, thereby rendering the present Writ Petition as infructuous. Copy of the said letter is retained on record.

3. In view of the aforesaid development, Mr. Nayak, learned counsel for the petitioner concedes that nothing more survives for adjudication in the present Writ Petition.

Accordingly, the present Writ Petition stands dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge