

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 32057 of 2022

Krushna Chandra Sahoo and others

Petitioners

Ms. Adisha Mohanty, Advocate

Vs.

State of Odisha and others

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
22.12.2022

Order No.

03.

This matter is taken up through hybrid mode.

2. Heard Ms. Adisha Mohanty, learned counsel for the petitioners and Mr. A.K. Mishra, learned Additional Government Advocate for the State.

3. The petitioners have filed this writ petition seeking to quash the order dated 07.04.2022 passed in Misc. Case No. 16 of 2021, which has been filed under Section 14 of the SARFAESI Act, 2002.

4. At the outset, this Court raised the question with regard to the maintainability of the writ petition, to which learned counsel for the petitioners contended that since there is violation of principle of natural justice, this writ petition is maintainable. But this Court is not satisfied with the submission of learned counsel for the petitioners since the very same question can be raised before the forum who can adjudicate the same.

5. In course of hearing learned counsel for the petitioners contended that the petitioners may be permitted to withdraw the writ petition with liberty to pursue his remedy before the appropriate authority.

6. With that liberty, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Arun