

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C). No.37730 of 2021

Pradeep Kumar Das

....

Petitioner

Mr. Tuna Sahu, Advocate and
Mr. S.K. Mishra, Advocate

-versus-

***Collector-cum-District Magistrate,
Khurda & Others***

....

Opposite Parties

Mr. Anupam Rath, ASC

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
09.05.2022

Order No.

- 04.
1. This matter is taken up by virtual/physical mode.
 2. The defaulting borrower has filed the present writ assailing the recovery process initiated under the SARFAESI Act by secured creditor/Bank including the order dated 6th September, 2021 passed by the Collector-cum-District Magistrate, Khurda providing for official assistance to take actual physical possession of the mortgaged property. An SA No.134 of 2021 seeking similar relief already stands filed by the Petitioner before the DRT, Cuttack. However, due to non-availability of the Presiding Officer, the present writ has been filed.
 3. At the time of hearing realizing that the DRT, Cuttack is fully functional upon availability of the Presiding Officer, counsel for the Petitioner prays for permission to withdraw the present writ

petition to enable the Petitioner to pursue his remedy in pending SA before the DRT, Cuttack.

4. In view of the above, the writ petition is disposed of with the aforesaid liberty.

(Jaswant Singh)

Judge

(M.S. Raman)

Judge

Aks

May 9, 2022 Cuttack

