

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33112 of 2022

M/s. Kalyani Ventures ***Petitioner***

Mr. L. Samantaray, Advocate

-versus-

***Branch Manager, Canara
Bank, Bhubaneswar Main
Branch, Kalpana Square,
Bhubaneswar, District-
Khordha & Another***

.... ***Opp. Parties***

Mr. B.N. Udgata, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

12.12.2022

(Hybrid Mode)

Order No.

- 01.** 1. Petitioner, a Partnership Firm, facing recovery process under the SARFAESI Act, 2002 has filed the present Writ Petition challenging the E-auction Sale Notice dated 09.11.2022 fixing the auction sale of the mortgaged immovable property on 12.12.2022, i.e., today.
2. Mr. Udgata, learned counsel for the Canara Bank appearing on advance notice states that the present writ petition has become infructuous in view of no intending bidder having come forward to deposit the 10% EMD charges required for participation in the auction proceedings fixed for today.
3. Learned counsel for the petitioner in view of the aforesaid stand of the Bank, through their

counsel, and the willingness of the petitioner to clear the outstanding liabilities prays for permission to withdraw the writ petition.

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 In view of the above, the writ petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

12th December, 2022
Cuttack

