

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 41534 of 2021

***Bishnu Debasish Panda & Petitioners
others***

Mr. Biren Sankar Tripathy, Advocate

-versus-

***The Authorized Officer, Union Opp. Parties
Bank of India, Asset Recovery
Branch, Regional Office,
Cuttack & others***

Mr. Bhaskar Ch. Panda, Advocate for Bank

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

**ORDER (Oral)
04.01.2022**

Order No.

- 01.** **1.** This matter is taken up through hybrid mode.
- 2.** The five petitioners claiming themselves to be the tenants, residing in separate portions of the building comprising Holding No.581/B/3, Plot No.184/2239 under Khata No.660/39, Sikharpur, Upar Sahi, Near IOCL, under Revenue Mouza-Cuttack Sahar, Unit No.26, District-Cuttack-753003 under the land lady namely D. Padma @ Danda Padma/opposite party no.5, have filed the present writ petition, under Article 226 of the Constitution of India challenging the threat of immediate dispossession at the hands of the Authorized Officer, Union Bank of India, Asset Recovery Branch, Cuttack/opposite party no.1.
- 3.** At the outset, Mr. B.C. Panda, learned counsel for the Bank inter alia points out that an application by the petitioners has already been filed before the Debts Recovery

Tribunal, Cuttack and hence parallel proceeding cannot be permitted to be maintained.

4. In view of the above, learned counsel for the petitioners prays for permission to withdraw the writ petition to enable his clients to pursue their remedy before the Debts Recovery Tribunal.

5. The writ petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)

Judge

(M.S. Sahoo)

Judge

January 4th, 2022
Cuttack

RRJena/GS

