
(2022) 06 OHC CK 0033

In the Orissa High Court

Case No : Writ Petition (C) No. 14006 Of 2022

Maa Tarini Bartan Bhandar And Another

APPELLANT

Vs

Union Bank Of India And Others

RESPONDENT

Date of Decision : 10-06-2022

Acts Referred:

Citation : (2022) 06 OHC CK 0033

Hon'ble Judges : S.K. Sahoo, J;M.S Raman, J

Bench : Division Bench

Advocate : S.D. Das, Tuna Sahu

Final Decision : Disposed Of

Judgement

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard Mr. S.D. Das, learned Senior Advocate appearing for the petitioners and Mr. Tuna Sahu, learned Standing Counsel for the Bank.

The petitioners have filed this writ petition challenging the e-auction sale notice dated 12.05.2022 issued by the Authorized Officer (opposite party no.3) under Annexure-8.

Mr. Tuna Sahu, learned Standing Counsel for the opposite party-Bank on instruction submitted that the outstanding loan dues against the petitioners as on date is to the tune of Rs.38,87,000/- (rupees thirty eight lakhs eighty seven thousand).

Learned counsel for the petitioners submits that the petitioners are ready and willing to deposit a sum of Rs.10,00,000/- (rupees ten lakhs) and file an application for One Time Settlement/settlement of the loan dues before the opposite party no.3 and necessary order may be passed to consider the said application for One Time Settlement/settlement of the loan dues giving opportunity of hearing to the petitioners.

Considering the submissions made by the learned counsel for the respective parties, without entering into the merits of the case, this writ petition is disposed of with a direction that if the petitioners deposit a sum of Rs.10,00,000/- (rupees ten lakhs) and simultaneously file an application for One Time Settlement/settlement of the loan dues within a period of two weeks from today before the opposite party no.3, the same shall be considered in accordance with law by giving opportunity of hearing to the petitioners within a further period of two weeks and the decision taken thereon shall be communicated to the petitioners in writing. It is made clear that in the event the petitioners fail to deposit the amount as directed within the time stipulated, the opposite party-Bank is at liberty to take steps against the petitioners in accordance with law. Till consideration of such application for One Time Settlement/settlement of the loan dues, no coercive action shall be taken against the petitioners. However, the process of auction shall continue but no final decision shall be taken till disposal of the said application.

Issue urgent certified copy as per Rules.

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