

(2023) 01 OHC CK 0084
In the Orissa High Court
Case No : Writ Petition (C) No.9236 Of 2022

Prasanta Kumar Sahoo

APPELLANT

Vs

Authorized Officer Cum Regional Manager, Canara Bank,
Bhubaneswar, Unit4, Khurda And Others

RESPONDENT

Date of Decision : 17-01-2023

Acts Referred:

Citation : (2023) 01 OHC CK 0084

Hon'ble Judges : Jaswant Singh J;M. S. Sahoo, J

Bench : Division Bench

Advocate : B. N. Udgata

Final Decision : Disposed Of

Judgement

1. None has put in appearance on behalf of the petitioner.
2. The guarantor in a Cash Credit Facility availed by M/s. Sai Garments, a proprietorship concern of Dusmanta Kumar Sahoo is before this Court challenging the notice dated 16.11.2021, whereby symbolic possession of the immovable property (owned by the petitioner and offered as a collateral security for a loan of Rs.25 Lakhs on 1st December, 2016) has been assumed.
3. This is the third consecutive dates when none has put in appearance on behalf of the petitioner.
4. Learned counsel for the Bank submits that much prior to the filing of the present petition on 11.04.2022, the mortgaged property stood successfully auctioned in favour of one Birendra Kumar Saha in the e-auction conducted on 15.01.2022 and upon deposit of sale price of Rs.43,33,000.00/- sale certificate dated 14.02.2022 also stands issued. Hence, the present Writ Petition has been rendered infructuous.
5. In view of the fact that none has put in appearance on behalf of the petitioner to rebut the aforesaid factual situation, we dispose of the present Writ Petition as

infructuous in light of the stand of the learned counsel for the Bank.

.....