IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.5038 OF 2024

Santosh Kumar Sahani .... ***Petitioner***

Mr. Anjan Kumar Biswal, Advocate

-versus-

Indian Overseas Bank, Bhubaneswar and others .... ***Opp. Parties***

Mr. A. Mohanty, Advocate
(For Opp. Party Nos.1 and 2)

CORAM:
JUSTICE K.R. MOHAPATRA
& JUSTICE S.K. MISHRA

ORDER

Order No. **31.01.2025**

6. 1. This matter is taken up through hybrid mode.

2. The Petitioner in this writ petition prays for the following relief:

> ***"****It is, therefore, prayed that in the interest of justice, this Hon'ble Court may graciously be pleased to admit this writ petition, issue Rule Nisi, calling upon the Opposite Parties to show cause as to why the Opposite Party Nos.l to 2 shall not be directed to allow the Petitioner to redeem his property by depositing the amount mentioned in the sale notice dated 10.01.2024 towards the cost of the factory;*
>
> *And as to why the sale notice dated 10.01.2024 and all consequential action in view of the said sale notice shall not be quashed declaring the same as illegal and arbitrary and as to why the sale shall not be declared as non est;*

And if the opp. parties failed to show cause and show insufficient and/or irrelevant cause, than make the said rule nisi absolute;

And pass such other order/s, direction/s as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case;

And for this act of kindness the Petitioner shall as in duty bound ever pray."

3. Mr. Biswal, learned counsel for the Petitioner submits that in the meantime, sale of the property in question has already taken place. As such, the writ petition has become infructuous.

4. Mr. Mohanty, learned counsel for Opposite Party Nos.1 and 2-Overseas Bank also supports the same.

5. In view of the above, this writ petition is disposed of as infructuous.

Urgent certified copy of this order be granted on proper application.

bks

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: BIJAY KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 31-Jan-2025 17:40:15