



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20410 of 2026

Duna Ravi

....

Petitioner

Mr. Amitav Tripathy, Adv.

-Versus-

Authorized Officer, Indian Bank, Zonal
Office, Berhampur & Ors.

....

Opp. Parties

Mt. Tuna Sahu, P.C. for the Bank

CORAM:

**JUSTICE KRISHNA S. DIXIT
JUSTICE CHITTARANJAN DASH**

**ORDER
13.07.2026**

WP(C) No.20410 of 2026

&

I.A. No.12185 of 2026

**Order No.
01.**

Issue emergent notice. Learned Panel Counsel appearing for the Opposite Party - Bank is requested to accept notice for the Bank. Required number of copies of the Writ Petition along with other documents be served on him within three working days.

Notice be sent to Opposite Party Nos.3 & 4 by speed post, returnable within three weeks. Requisites be filed within three working days.

2. Learned counsel for the Petitioner submits that the auction of the security property, is scheduled on 14.07.2026 when the amicable talks are half way through before the Permanent Lok Adalat, Berhampur. He submits that if the auction is held, that would cause enormous injustice to his client and therefore, the same be interdicted.

3. Learned Panel Counsel appearing for the Bank opposed the grant of interim prayer contending that once the amount is due and the process



in terms of Sections 13 & 14 of the SARFAESI Act, 2002 has been accomplished, ordinarily the Writ Court shall not interfere in the matter, keeping in view the decision of Apex Court in ***Celir LLP v. Bafna Motors (Mumbai) Pvt. Ltd.*** 2023 INSC 838. However, that being said, he very fairly agrees that some reprieve may be provided as the Petitioner shows *bona fide* by making credit of 1/3rd of the amount outstanding within a reasonable period, may be with some installments. This is absolutely fair.

In the above circumstances, the application having been favoured, the scheduled auction is interdicted subject to the Petitioner paying 1/3rd of the outstanding amount in three equalized fortnightly installments, failing which not only the interim order stands vacated on its own but the Petition runs the risk of dismissal on that ground *per se*.

(Krishna S. Dixit)
Judge

(Chittaranjan Dash)
Judge

Prasant