



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20616 of 2026

Santosh Kumar Mohanty & another **Petitioners**

Mr. A.K. Biswal, Adv.

-Versus-

**The Authorised Officer, Union Bank
of India, Cuttack & others** **Opp. Parties**

Mr. T. Sahu, S.C. for Bank

CORAM:

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

ORDER
07.07.2026

WP(C) No.20616 of 2026
&

Order No.
01.

I.A. 12353 of 2026

Petitioner-borrower is knocking at the doors of the Writ Court with the following prayer:

“In view of the submission made above, it is therefore prayed that, your lordships would be graciously pleased to allow this petition and on bearing the counsels of the petitioner issue Rule NISI calling upon the opposite parties No.1 & 2 (Bank) to show cause as to why the impugned Symbolic Possession Notice dt. Notice dt.17.03.2026 U/s.13(4) of SARFAESI Act, 2002 under Annexure-4 shall not be quashed;

And if the said opposite parties No. 1 & 2 (Bank) fails to submits show cause or shows insufficient cause within the stipulated time to make the said Rule absolute;

And direct the opposite parties No.1 & 2 (Bank) to settlement the petitioner/Borrower/Mortgagor loans account under OTS Scheme;”(sic)

2. Learned counsel for the Petitioner very fairly submits and we agree with the same that right to speedy justice being one of the facets of



Article 21 of the Constitution of India in the light of catena of decisions of the Apex Court, a direction needs to be issued to the DRT, Cuttack to take up interim application filed in S.A. No.86 of 2025 on a war footing. Notice to other side is dispensed with, since it will have full opportunity of participation, when the said application is taken up for consideration.

3. It is also necessary that main matter too is heard and disposed off as early as possible of course, keeping in view the seniority and the other pressing works.

In the above circumstances, the Petition is disposed off with the above observations. I.A. in said S.A. to be considered within an outer limit of four weeks. All contentions are kept open. Registry to send a copy of this order to Respondent-Bank. No protection is granted at the hands of this Court.

Web copy of this order to be acted upon by all concerned.

(Krishna S. Dixit)
Judge

(Chittaranjan Dash)
Judge

Prasant