

CORRECTED

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.3156/2020

(@ Petition for Special Leave to Appeal (C) No.4/2020)

AUTHORIZED OFFICER BANK OF BARODA

Respondent(s)

VERSUS

M/S BILLION TRADERS PVT LTD & ANR.

Respondent(s)

O R D E R

Leave granted.

The District Magistrate, Mayurbhanj, Odisha directed the appellant-Bank to contact the Superintendent of Police, Mayurbhanj and S.D.M. Rairangpur for necessary protection on the date of execution of the order under Section 14 of the SARFAESI Act, 2002 of the mortgaged property which is a hotel. The said order was challenged by the respondents before the High Court by filing a writ petition. The High Court accepted the contention of the 1st respondent that he is willing to deposit an amount of Rs. 20,00,000/- within a period of four weeks and continue to deposit Rs.40,000/- every month from the date of release of property and directed the Appellant to put the Respondent in possession of the Hotel.

The validity of the demand notice is subject

matter of challenge before the DRT. The relief granted by the High Court is beyond the scope of the dispute in the Writ Petition. The Appeal is, accordingly, allowed and the judgment of the High Court is set aside. Pending application(s), if any, shall stand disposed of.

.....J.
(L.NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

.....J.
(S.RAVINDRA BHAT)

NEW DELHI;
11th September, 2020.

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Leave granted.

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the High Court is beyond the scope of the dispute in the Writ Petition. The Appeal is, accordingly, allowed and the judgment of the High Court is set aside. Pending application(s), if any, shall stand disposed of.

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(L.NAGESWARA RAO)

.....J.
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.....J.
(S.RAVINDRA BHAT)

NEW DELHI;
11th September, 2020.

ITEM NO.29 Court 5 (Video Conferencing) SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).4/2020

(Arising out of impugned final judgment and order dated 24-09-2019
in WP(C) No. 16027/2019 passed by the High Court Of Orissa At
Cuttack)

AUTHORIZED OFFICER BANK OF BARODA Petitioner(s)

VERSUS

M/S BILLION TRADERS PVT LTD & ANR. Respondent(s)

(IA No. 34369/2020 - GRANT OF INTERIM RELIEF)

Date : 11-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Ms. Praveena Gautam, AOR
 Mr. Deepak Tyagi, Adv.
 Mr. Pawan Shukla, Adv.
 Ms. Sweety Pandey, Adv.

For Respondent(s) Mr. Ashok Panigrahi, AOR
 Mr. Nabab Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the
signed order. Pending application(s), if any, shall
stand disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master

(Signed order is placed on the file)