



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8581 of 2026

Kshirod Kumar Subudhi & Another Petitioners

Mr. D. Mohapatra, Sr. Advocate

-Versus-

**Authorized Officer, Canara Bank, Opposite Parties
Cuttack & Others**

**CORAM:
JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH**

**Order No.
01.**

**ORDER
23.03.2026**

Petition prayer reads as under:

“Under such circumstances Petitioner most respectfully prays that this Hon'ble Court may be pleased to Quash and set aside the e-auction notice dated 10.03.2026, published in daily newspaper "The Business Standard" fixing the date of auction on 26.03.2026 and impugned order dated 09.01.2026 passed by the CJM, Cuttack in Crl. Misc. Case No. 95/2025, Declare that the proceedings under Section 14 SARFAESI act are non-est in law during the continuance of the interim moratorium under Section 96IBC.

Direct the Respondent Bank to adhere to RBI/MSME restructuring guidelines and refrain from coercive measures during insolvency proceedings.

Grant such other relief(s) as deemed fit in the interest of justice.”

2. Learned counsel appearing for the Petitioners-borrower, which is MSME, very fairly submits that earlier W.P.(C) No.5336 of 2026 having been withdrawn unconditionally on 18.02.2026, his clients would be satisfied, regardless of the text of the prayers in the present



petition, if a direction is issued to the DRT to hear and dispose off S.A. No.114 of 2025 or at least the application for interim prayer filed in the pending S.A. on a war footing, keeping open all contentions of the parties, in view of the urgency, namely, the auction scheduled to be held on 26.03.2026.

The above prayer being innocuous and reasonable, cannot be rejected by a Writ Court, which exercises equity writ jurisdiction more particularly, when the interim application for reprieve is kept pending in the subject S.A.

In view of the above, writ petition is accordingly disposed off, requesting the Presiding Officer of the DRT to take up the subject I.A. within a period of two days for consideration.

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

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge

Madhusmita