



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C). No. 22488 of 2024

Sumit Mohanty

....

Petitioner

Mr. Ramakant Mohanty, Sr. Advocate
with Mr. Swarup Kumar Patnaik, Advocate

-versus-

***Punjab National Bank,
Bhubaneswar and Others***

.... ***Opp. Parties***

Mr. Anjan Kumar Biswal, Advocate
For O.P. No. 1 & 2

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

12.09.2024

Order No.

- 01.
1. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).
 2. Heard Mr. Ramakant Mohanty, learned Senior Advocate and Mr. Anjan Kumar Biswal, learned Advocate for Opposite Party No. 1 & 2.
 3. Mr. Ramakant Mohanty, learned Senior Advocate filed the Memo of Appearance for the Petitioner in Court today which is taken on record.



4. The Petitioner has filed this Writ Petition for direction to the Opposite Parties to pay interest on the Petitioner's deposit of Rs.30.25 lakhs made on 30.04.2016 till the same was adjusted on 28.10.2023 @ 10% per annum with quarterly rests.

5. Mr. Ramakant Mohanty, learned Senior Advocate relied upon the decision of the Hon'ble Supreme Court in the case of **Govind Kumar Sharma & Anr. -Vrs.- Bank of Baroda & Ors. reported in 2024 SCC OnLine SC 559** has held as follows:-

“12...(iv). We could have considered awarding 24 per cent per annum compound interest on the auction money to be refunded to the appellants in view of serious illegality committed by the Bank in conducting the auction and driving the parties to litigation. Considering the fact that the money of the Bank is also public money, we feel that interest of justice would be best served if the auction money with 12 per cent per annum compound interest is returned to the appellants. Such interest be calculated from the date of deposit till the date it is actually paid.”

6. Issue notice to the Opposite Parties on the question of admission indicating therein that the matter shall be disposed of at the stage of admission.



Mr. Anjan Kumar Biswal, learned Advocate accepts notice on behalf of Opposite Parties Nos. 1 & 2 on instructions. Two extra copies of the Writ Petition be served on him by tomorrow.

So far as Opposite Party No.3-Vinaya Cashew Processing Pvt. Ltd. is concerned, requisites for issuance of notice on the Opposite Party No.3 by speed post with proof of delivery shall be filed within a week.

7. List this matter in the week commencing from 07.10.2024.

Counter Affidavit, if any, be filed in the meantime serving copy thereof on the learned counsel for the Petitioner.

(S. K. Sahoo)
Judge

(Chittaranjan Dash)
Judge

AKPradhan/Bijay

Signature Not Verified

Digitally Signed
Signed by: BIJAY KETAN SAHOO
Designation: Jr. Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 13-Sep-2024 16:12:07

