62. 27.01.2021 This matter is taken up by video conferencing mode.

It appears that inadvertently the extension of interim order has not been mentioned in the order dated 15th January, 2020 passed by this Court. Therefore, it is made clear that all the interim protections granted by this Court in paragraph 7 of the order dated 5th May, 2020 are extended up to 17th February, 2021, except to the extent the modifications already made, as on date, in different Interim Applications filed by the interveners.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25th March, 2020.

A.Dash

(Dr. S. Muralidhar)
Chief Justice

(Biswajit Mohanty)
Judge

I.A. No. 1100 of 2021

63. 27.01.2021

This matter is taken up by video conferencing mode.

Heard learned counsel for the respective parties.

By way of filing this application, the Intervener (HDFC Bank Ltd.) seeks permission of this Court to auction the gold pledged with it by different customers, whose loan accounts have been classified as Non Performing Assets (NPA) since long.

Learned counsel for the applicant contends that the Petitioner (Bank) is unable to take steps to auction the said gold on account of the restriction imposed by this Court in the interim order dated 5th May, 2020. In spite of repeated requests and reminders, the customers, whose accounts have already been declared NPA, are reluctant to repay their loan dues. Unless the permission is granted to that extent relaxing the said interim order in respect of the present applicant, it will suffer huge loss. It is submitted by the learned counsel for the Petitioner that similar relief has already been granted by this Court by order dated 11th December, 2020 in respect of other Interveners.

There is no objection from any of the parties in passing a similar direction in this application. Therefore, having regard to the assertion made by the applicant (Intervener), this Court disposes of this application by directing the applicant-Bank to issue fresh pre-sale notice of at least one month before auction of the gold involved, to the customers whose have already been declared NPA and in the event such customers fail to repay the outstanding amount of loan to take back the gold, the Bank shall proceed to auction the same, in accordance with law.

The I.A. is accordingly disposed of.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25th March, 2020.

A.Dash

(Dr. S. Muralidhar)
Chief Justice

(Biswajit Mohanty)
Judge

I.A. Nos. 1357 and 1359 of 2021

64. 27.01.2021

This matter is taken up by video conferencing mode.

Heard learned counsel for the respective parties.

Both these applications have been filed by the Punjab National Bank (PNB). When the I.A. No. 1357 of 2021 seeks permission to implead the PNB as an Intervener in this matter, I.A. No. 1359 of 2021 seeks liberty to sell and dispose of the vehicles as per the list submitted in the application, in partial modification of Clause-X of the order dated 5th May, 2020 passed by this Court.

Learned counsel for the applicant contends that the PNB is unable to take steps to auction the seized vehicles on account of the restriction imposed by this Court in the aforementioned interim order. All the vehicles seized prior to the period of pandemic, if not allowed to be sold, will lose whatever salvage value these have. It is submitted by the learned counsel for the Petitioner that similar relief has already been granted by this Court by order dated 11th December, 2020 in respect of other Interveners.

There is no objection from any of the parties in passing a similar direction in this application. Therefore, having regard to the assertion made by the applicant (Intervener), this Court disposes of these applications by directing the applicant-Bank to issue fresh pre-sale notice of at least one month before auction of the vehicles involved, to the respective parties from who these were seized and in the event such party fails to repay the outstanding amount of loan to take back the vehicle, the Bank shall proceed to auction the same, in accordance with law.

The I.As. are accordingly disposed of.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25th March, 2020.

A.Dash

(Dr. S. Muralidhar)
Chief Justice

(*Biswajit Mohanty)*
Judge

I.A. Nos. 1369 and 1394 of 2021

65. 27.01.2021

This matter is taken up by video conferencing mode.

Heard learned counsel for the respective parties.

Both these applications filed by the Intervener (M/s. IndusInd Bank Ltd.) seek liberty to sell and dispose of the vehicles as per the list annexed to the applications, in partial modification of Clause-X of the order dated 5th May, 2020 passed by this Court.

Learned counsel for the applicant contends that the Bank is unable to take steps to auction the vehicles surrendered by its owners to secured public money, on account of the restriction imposed by this Court in the aforementioned interim order. All the vehicles seized prior to the period of pandemic, if not allowed to be sold, will lose whatever salvage value these have. It is submitted by the learned counsel for the Petitioner that similar relief has already been granted by this Court by order dated 11th December, 2020 in respect of other Interveners.

There is no objection from any of the parties in passing a similar direction in these applications. Therefore, having regard to the assertion made by the applicant (Intervener), this Court disposes of these applications by directing the applicant-Bank to issue fresh pre-sale notice of at least one month before auction of the vehicles involved, to the respective parties from who these were seized and in the event such party fails to repay the outstanding amount of loan to take back the vehicle, the Bank shall proceed to auction the same, in accordance with law.

The I.As. are accordingly disposed of.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25th March, 2020.

A.Dash

(Dr. S. Muralidhar)
Chief Justice

(Biswajit Mohanty)
Judge

I.A. Nos. 1440 and 1442 of 2021

66. 27.01.2021

This matter is taken up by video conferencing mode.

Heard learned counsel for the respective parties.

Both these applications have been filed by the IDBI Bank. When the I.A. No. 1442 of 2021 seeks permission to implead the IDBI Bank as an Intervener in this matter, I.A. No. 1440 of 2021 seeks liberty to open the financial bid submitted pursuant to auction sale notice dated 28th July, 2020 (Annexure-1) to settle secured assets of the Bank in favour of the highest bidder, in partial modification of Clause-X of the order dated 5th May, 2020 passed by this Court.

Learned counsel for the applicant contends that the Intervener-Bank is unable to proceed further in respect of the auction sale notice is concerned, on account of the restriction imposed by this Court in the aforementioned interim order. It is submitted by the learned counsel for the Intervener that similar relief has already been granted by this Court by order dated 11th December, 2020 in respect of other Interveners permitting them to auction the repossessed vehicles/golds etc.

There is no objection from any of the parties in passing a similar direction in this application. Therefore, having regard to the assertion made by the applicant (Intervener), this Court disposes of these applications by directing the applicant-Bank to proceed with the auction process, in accordance with law.

The I.As. are accordingly disposed of.

As the restrictions due to the COVID-19 situation are continuing, learned counsel for the parties may utilize a soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed, vide Court's Notice No.4587, dated 25th March, 2020.

A.Dash

(Dr. S. Muralidhar)
Chief Justice

(*Biswajit Mohanty*)
Judge