

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10948 OF 2016
(Arising out of SLP (C) No. 22869 of 2014)

THE UNITED COMMERCIAL BANK & ANR.

APPELLANTS

VERSUS

GANGADHAR MOHANTY & ANR.

RESPONDENTS

J U D G M E N T

KURIAN, J.

1 Leave granted.

2 The appellant-Bank approached this Court aggrieved by the impugned order dated 17.07.2014 which reads as follows :

"This Court directs the Zonal manager, UCO bank to file an affidavit to the effect that in no case compromise has been done where the value of the property is more than the value of outstanding amount.

List this matter next week."

3 Heard the learned counsel for the appellants and respondents. The parties have fairly submitted that the matter can go back to the High Court without insisting for the affidavit. Therefore, without expressing any opinion on the merits of the case, we set aside the order as extracted above and remit the matter to the

High Court. The High Court is requested to dispose of the writ petition on or before 31.03.2017.

4. In view of the above observations, the appeal is disposed of. No costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

NEW DELHI;
NOVEMBER 18, 2016



JUDGMENT