

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.848 of 2008

Paramjit Singh

..... Petitioner

Mr. A. Sinha, Advocate

-versus-

***Orissa State Financial Corporation
and others***

..... Opposite Parties

Mr. Abinash Routray, Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAIAK

ORDER

17.05.2022

Order No.

06. 1. The Petitioner is a guarantor and proceedings have been initiated against him under Section 29 of the State Financial Corporation Act, 1951 (SFC Act) which action is impermissible in terms of the decisions in *Karnataka State Financial Corporation v. N. Narasimahaiah (2008) 5 SCC 176* and *Subhranshu Sekhar Padhi v. Gunamani Swain and others (2014) 12 SCC 368*.
2. Accordingly, the impugned letters/ notices dated 10th December 2007 (Annexure-3) and 7th July 2007 (Annexure-4) are hereby quashed. Nevertheless, it will be open to the OSFC to follow the procedure under Section 31 of the SFC Act in accordance with law.
3. The writ petition is disposed of in the above terms.
4. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge