

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.6653 of 2013

Sri Sachindra Mandal

....

Petitioner

Ms. M. Kanungo, Advocate

-versus-

The Union of India & Another

....

Opposite Parties

Mr. Santosh Kumar Nanda, Advocate
for Bank

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN**

ORDER (Oral)

14.07.2022

Order No.

- 22.
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner, defaulting borrower, availed a loan of Rs.4,60,000/- by submitting an application for loan before the Bank to purchase a tractor. Failure to repay the amount, the loan account has been classified as NPA and notice dated 13th February, 2010 was issued recalling entire loan amount. Consequent upon failure to satisfy the terms of said notice, the Opposite Party No.2 i.e. Canara Bank, Balasore Branch effected seizure of tractor on 29th January, 2013.
 3. This Court vide order dated 24th April, 2013 passed in Misc. Case No. 6213 of 2013 directed the Bank not to take any coercive measure against the Petitioner without leave of this Court subject to the Petitioner depositing Rs.90,000/- in two equal instalments.

4. Mr. Nanda, counsel for the Bank submitted that though the Petitioner has deposited an amount of Rs.45,000/- on 3rd May, 2013, being the first instalment, he has remained silent thereafter and thereby has not complied with the terms of the direction of this Court vide order dated 24th April, 2013.

5. Perusal of record shows that this matter was listed before the regular Bench as well as the National Lok Adalat for quite a number of times but none appeared for the parties.

When the matter is taken up today, counsel for the Petitioner submitted that she has no instruction and counsel for the Bank submitted that till date the direction of this Court has not been complied with and as on today, the outstanding amount stands at around Rs.40,00,000/-.

6. In view of the position as conceded by the parties, there remains nothing to be adjudicated.

7. Hence, the writ petition stands dismissed.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

AKs

14th July, 2022
Cuttack