

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.163 of 2022

M/s. Suvadra Medical Store **Petitioner**

Mr. Shashanka Shekhar Patra, Advocate

-versus-

UCO Bank, Bhograi Branch & **Opposite Parties**
another

Mr. Sunil Swain, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

21.01.2022

Order No.

- 01.** **1.** This matter is taken up through Virtual Mode.
- 2.** The petitioner, a proprietary concern of Smt. Sumati Das @ Pramanik is a defaulting borrower of a raised loan of Rs.7,00,000/- from UCO Bank, Bhograi Branch on 24.04.2006.
- Due to lack of financial discipline, the loan account was declared NPA on 31.03.2015 leading to initiation of recovery process by the Bank under the SARFAESI Act, 2002, and culminating into e-auction of the mortgaged property (offered as collateral security) on 10.01.2022 for recovery of around Rs.22 lakhs as outstanding liability.
- 3.** By filing the present writ petition, a mandamus is sought against the Bank for considering the O.T.S. application of the petitioner.

4. Mr. Sunil Swain, learned counsel appearing for the Bank on advance notice states that the petitioner has deposited a sum of Rs.22 lakhs on 12.01.2022 and thereby clearing the entire outstanding liability.

5. In view of the above, learned counsel for the petitioner prays for permission to withdraw the writ petition.

6. The writ petition is accordingly dismissed as withdrawn.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

January 21st, 2022
Cuttack

AKK