

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.6174 of 2013

Pradip Ku. Das

....

Petitioner

Mr. Ramakanta Sarangi, Advocate

-versus-

**The Director, Khadi and
Village Industries Commission
(KVIC), Ministry of MSME
(Govt. of India), State Office,
Orissa and Others**

....

Opp. Parties

Mr. Abinash Routray, Advocate for O.P. No.1

*Mr. Anindya Kumar Mishra, Advocate
for the Bank/O.P. Nos.2 and 3*

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (ORAL)
09.05.2022

Order No.

- 07.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The Petitioner by referring to a Memo dated 29.10.2012 (Annexure-3) issued by the Khadi and Village Industries Commission, Orissa/Opposite Party No.1 addressed to the Branch Manager, Allahabad Bank, Khordha submits that the project of the Petitioner in respect of opening a Tent House (Service) was recommended under the Prime Ministers Employment Generation Programme (PMEGP) for sanctioning of a loan. Since the Bank concerned did not sanction the loan, the present writ was filed for issue of writ of mandamus for sanctioning and release of loan amount.
- 3.** This Court vide interim order dated 06.05.2013 passed an interim direction restraining the Bank from disbursing the loan amount to anybody other than the Petitioner.

4. At the time of hearing today, learned counsel for Opposite Party No.1 states that the benefit under the scheme was available for the projects undertaken in the year 2012-13 and hence with efflux of time, nothing would survive in the present writ petition. Learned counsel appearing for the Bank has made a statement at the Bar that the loan amount was not sanctioned in view of the Petitioner having failed to execute the necessary and stipulated documents for release of the loan amount. Apart from the above, it is not disputed that in case the Allahabad Bank had not released the loan amount, the Petitioner could approach any other Bank after reverting back to the authorities of Opposite Party No.1 which the Petitioner failed to do.

5. In view of efflux of time and the aforesaid, we find nothing more survives in the present writ petition for adjudication. The writ petition is accordingly dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

May 9th, 2022
Cuttack

AKK