

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14923 of 2014

SatyaSai Traders & Another *Petitioners*

Mr. Suryakant Behera, Proxy Counsel
on behalf of Mr. R.K. Rout, Advocate

-versus-

***The Authorised Officer,
Odisha Gramya Bank,
Regional Office, Pipili,
District-Puri & Another***

.... Opp. Parties

None

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

**ORDER (Oral)
15.11.2022
(Hybrid Mode)**

Order No.

- 04.** **1.** Petitioner No.1 is a Proprietorship Firm, which had availed Cash Credit facilities to the tune of Rs.40 Lakhs from Odisha Gramya Bank, Bhubaneswar Branch. Due to non-servicing of the account, it was classified as NPA on 30.09.2013 and a demand notice dated 27.01.2014 under Section 13(2) of the SARFAESI Act, 2002 (for short “the Act, 2002”) was issued recalling the outstanding liability of Rs.46,29,011/-. The Bank then proceeded to assume symbolic possession of the mortgaged property offered as a collateral security vide possession notice dated 14.05.2014 (Annexure-3) issued under Section 13(4) of the Act, 2002.

2. The petitioner by filing the present writ petition has laid challenge the aforesaid notice (Annexure-3) with a further direction to settle the loan account of the petitioner in terms of the OTS Scheme.

3. It transpires since filing of the writ petition on 08.08.2014, no efforts have been made for getting the case listed till today.

4. At the time of hearing, learned counsel for the petitioners submits that he has no instructions.

5. In view of the above and efflux of time, it can be safely presumed that the present writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

15th November, 2022
Cuttack