

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23215 of 2014

***M/s. M.S. Growers (P) Ltd.,
Professorpada***

Petitioner

Mr. Suryakanta Behera, Proxy Counsel,
on behalf of Mr. Ranjan Kumar Rout, Advocate
-versus-

***Senior Branch Manager,
Bank of India, Gopalpur
Branch, Press Chhak,
Madhupatna, Cuttack-10
& Another***

....

Opposite Parties

Mr. Tuna Sahu, Advocate for the Bank

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE G. SATAPATHY**

**ORDER (Oral)
25.11.2022
(Hybrid Mode)**

Order No.

- 07.** **1.** The petitioner, a Private Limited Company is stated to have availed a Cash Credit facility of Rs.12 lakhs and a Term Loan of Rs.36 lakhs from Bank of India, Gopalpur Branch in the year 2006. Due to financial indiscipline, the loan accounts were classified as NPA on 31.12.2008 and recovery process under the SARFAESI Act, 2002 initiated by issuance of a demand notice dated 14.02.2009 under Section 13(2) of the SARFAESI Act, 2002.
- 2.** The prayer made in the present writ petition is for quashing the auction sale of the mortgaged property offered as a collateral security pursuant to the auction

held on 20.10.2010. The further prayer is for accepting the petitioner's proposal of Rs.40 lakhs towards full and final payment under the One Time Settlement.

3. Since the time of the filing of the writ petition, we find that there was no interim order.

4. At the time of hearing, learned counsel for the petitioner states that the present writ petition has become infructuous in view of the prayer of the petitioner having been redressed by the Bank and the loan accounts having been settled.

5. In view of the above, the writ petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(G. Satapathy)
Judge

AKK

25th November, 2022
Cuttack