

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C). No.2904 of 2022

Rohini Kanta Mardaraj

....

Petitioner

Mrs. Supriya Patra, Advocate

-versus-

***Authorized Officer, UCO Bank,
Zonal Office, C-2, Ashok Nagar,
Unit-II, Bhubaneswar & Others***

....

Opposite Parties

Mr. Bibhuti Bhusan Swain, Advocate
(for Bank)

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
09.05.2022

Order No.

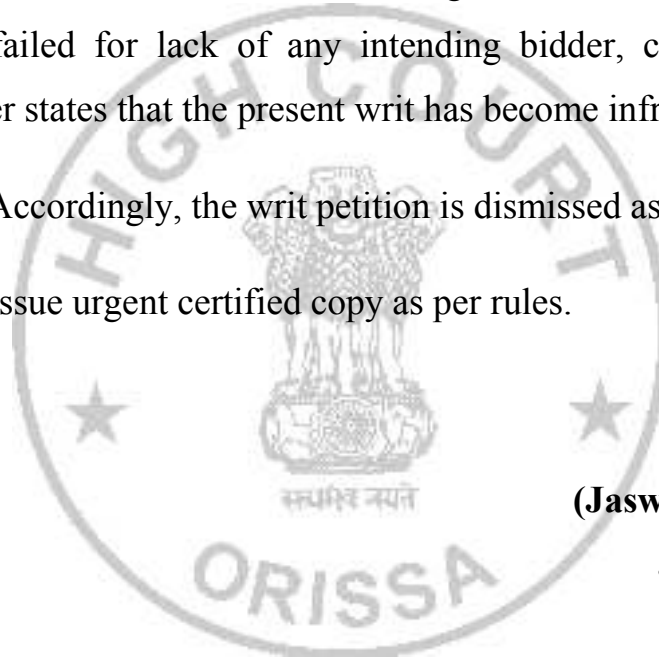
- 03.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The Petitioner is a co-borrower with his wife of a house building loan availed on 30th June, 2008 for a sum of Rs.8,30,000/-. The loan account for defaulting in installments was declared as NPA on 31st March, 2014. A demand notice under section 13(2) of the SARFAESI Act, 2002 was issued on 27th May, 2014 recalling an outstanding liability of Rs.15,69,961/- due as on 31st March, 2014. Symbolic possession of the mortgaged property/residential house was assumed on 17th September, 2014 by issuance of notice under Section 13(4) of the SARFAESI Act.

3. By filing the present writ petition, the challenge has been laid to the e-auction sale notice dated 30th October, 2021 fixing the auction sale of the residential house on 17th November, 2021.

4. At the time of hearing, counsel for the Bank points out that the outstanding liability as on 30th April, 2022 is around Rs.26,13,160.21.

5. In view of the auction fixing for 17th November, 2021 having failed for lack of any intending bidder, counsel for the Petitioner states that the present writ has become infructuous.

6. Accordingly, the writ petition is dismissed as infructuous.
Issue urgent certified copy as per rules.



(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Aks

May 9, 2022 Cuttack