

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19341 of 2017

Bimal Chandra Swain

.... Petitioner

Mr. Bhagaban Mohanty, Advocate

-versus-

**UCO Bank,
Chandrasekharpur,
Bhubaneswar, District-
Khurda and Another**

.... Opp. Parties

None

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

ORDER (Oral)

22.09.2022

Order No.

02.

This matter is taken up through virtual/physical mode.

1. Petitioner is stated to have raised a loan for a sum of Rs.5,19,000/- in December, 2012 from UCO Bank, Chandrasekharpur Branch, Bhubaneswar for purchase of a commercial vehicle. The loan was repayable in 72 E.M.Is (for six years) at the rate of Rs.9,030/-. Due to financial indiscipline, the loan account was classified as NPA and a Recall Notice dated 1st February, 2017 was issued notifying the petitioner-defaulting borrower to repay the total outstanding liability of Rs.3,58,622/-.

2. The prayer in the instant Writ Petition is for challenging the aforesaid Recall Notice dated 1st February, 2017 (Annexure-1), with the further prayer for rephasement by exempting the payment of penal interest. It is apparent that after filing of the present

Writ Petition on 8th September, 2017, no efforts were made for listing the same.

3. At the time of hearing today, learned counsel for the petitioner states that he has no instructions in the matter. Even otherwise we find that by efflux of time, the present Writ Petition has become infructuous apart from the Writ Petition not even being maintainable against the aforesaid Recall Notice.

4. In view of the above, the Writ Petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

AKK

22nd September, 2022
Cuttack