

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23089 of 2016

Sumanta Sahu

.... Petitioner

None

-versus-

***Authorized Officer-cum-
Chief Manager, (LR & NPA)
State Bank of India, R.B.O.
Mirania, Gandhi Marg,
District-Angul and Others***

.... Opp. Parties

None

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

**ORDER (Oral)
12.09.2022**

Order No.

02

This matter is taken up through virtual/physical mode.

1. The petitioner is a defaulting borrower who was served a Demand Notice dated 11th September, 2014 under Section 13(2) of the SARFAESI Act, 2002 by State Bank of India, Talcher Fertilizer Township Branch, Angul seeking to recall the outstanding liabilities of Rs.71,21,134/- along with interest.

2. The challenge by filing the present Writ Petition has been made to the Notice dated 22nd December, 2014 (Annexure-1), whereby the petitioner has been asked by the Authorized Officer of the Bank to handover the vacant possession after removal of all items before 29th December, 2014. Further averment is that the forcible possession taken should also be

set aside and the Bank directed to hand back the peaceful possession of the secured asset.

3. We find that since the filing of the Writ Petition on 27th December, 2016, neither the defects have been removed nor any effort has been made to get the case listed. Even today no one has entered appearance on behalf of the petitioner.

4. In view of the above, it can be safely construed that by efflux of time, the present Writ Petition has become infructuous.

5. The Writ Petition is accordingly dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

AKK

12th September, 2022
Cuttack