

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.3676 of 2022

Prasanta Kumar Patra

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Petitioner

Mr. Surya Kanta Behera, Proxy Counsel on
behalf of Mr. Ranjan Kumar Rout, Advocate

-versus-

***Authorized Officer Urban
Cooperative Bank Ltd., Cuttack &
Others***

....

Opposite Parties

Mr. Millan Kanungo, Sr. Advocate with
Mr. Asish Mishra, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
02.08.2022

Order No.

- 06.
1. This matter is taken up by virtual/physical mode.
 2. Seeking to quash reply dated 4th January, 2022 to advocate's notice dated 23rd December, 2021, whereby the one time settlement offer made by the Petitioner on 9th March, 2018 under OTS Scheme, 2017, being rejected, the Petitioner has come up before this Court invoking Article 226 of the Constitution of India.
 3. The Petitioner-Company availed a Cash Credit loan of Rs.3.00 crores from Urban Cooperative Bank, Malgodown Branch, Cuttack in the year 2005. On account of closure of the business, the loan account could not be serviced.
 4. It is stated by the Petitioner in the writ petition that in order to avail the benefit of settlement scheme it approached the Bank, through his lawyer but the same was turned down.

5. Vide order dated 6th May, 2022, this Court clarified that mere pendency of the writ petition would not constitute legal impediment for the Bank to proceed with recovery process in accordance with law.

6. At the time of hearing today, counsel for the Petitioner has filed a Memo seeking permission to withdraw the writ petition with liberty to approach the Bank for settlement of the loan dues.

7. Mr. Millan Kanungo, senior counsel appearing for the Bank does not have any objection.

8. In view of the above, the writ petition stands dismissed as withdrawn with liberty as sought for.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

August 2, 2022 Cuttack