

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4449 of 2021

Alaka Sahu

....

Petitioner

Mr. S.K. Jena, Advocate

-versus-

***Authorised Officer-cum-
Branch Head, Bank of
Baroda & Others***

....

Opp. Parties

None

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

01.11.2022

Order No.

02.

This matter is taken up through virtual/physical mode.

1. Petitioner along with her late husband are the defaulting borrowers of a House Building Loan availed from Vijaya Bank, Sundargarh Branch, Sundargarh for a sum of Rs.12 lakhs in the year 2017. Due to non-payment of installments, the loan account was declared NPA on 31.08.2018 and a demand notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 04.09.2018 recalling the outstanding liability of around Rs.12,32,000/- due as on 31.08.2018. The symbolic possession of the mortgaged house was assumed vide notice dated 15.01.2019 under Section 13(4) of the SARFAESI Act, 2002.

2. The petitioner by filing the present writ petition has sought the quashing of the notice dated

15.01.2019 as also a direction to the Bank to consider the OTS proposal offered by the petitioner, although no reference to any prevailing OTS Policy has been made.

3. At the time of hearing, learned counsel for the petitioner prays for permission to withdraw the writ petition.

4. In view of the above, the writ petition is dismissed as withdrawn.

**(Jaswant Singh)
Judge**

**(M.S. Sahoo)
Judge**

AKK

1st November, 2022
Cuttack

