

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4017 of 2022

Pramod Ku. Sethi

....

Petitioner

Mr. P.K. Satapathy, Advocate

-versus-

***Odisha Gramya Bank and
Others***

....

Opp. Parties

Mr. Adnan Sarmadi, Advocate
on behalf of Mr. Tuna Sahu, Advocate
for the Bank

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

**ORDER (Oral)
13.05.2022**

Order No.

- 01.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The Petitioner is a defaulter of a house building loan availed in the year 2013 from Odisha Gramya Bank, Bidanasi Branch, Cuttack for a sum of ₹4,40,000.00. For non-payment of the installments, the loan account was declared NPA on 31.12.2017. A demand notice under Section 13(2) of the SARFAESI Act, 2002 (in short 'the Act, 2002') was issued on 16.01.2018 seeking to recall a sum of around ₹7,70,000.00. Symbolic possession was assumed on 27.12.2021 by issuance of a notice under Section 13(4) of the Act, 2002. The Petitioner claims to have made an application for settlement of the loan for a sum of ₹1,70,000.00. Hence, the present petition has been filed for directing the Bank to consider the aforesaid application/proposal.

3. At the time of hearing, learned counsel for the Petitioner submits that the aforesaid application dated 04.01.2022 has since been declined on 06.04.2022. Hence, he submits that the writ petition has become infructuous.

4. The writ petition is accordingly dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

May 13th, 2022
Cuttack

AKK

