IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14408 of 2014

Chiranjeev Pradhan .... ***Petitioner***

None

-versus-

The Branch Manager, Andhra Bank, Madhusudan Nagar Branch, Bhubaneswar and another .... ***Opp. Parties***

Mr. Arun Kumar Patra, Advocate for the Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M. S. RAMAN

ORDER (Oral)

Order No. **21.03.2022**

07. **1.** This matter is taken up through virtual/physical mode.

2. The petitioner is a defaulting borrower along his wife, co-borrower of a Housing loan availed for a sum of Rs.38 Lakhs from Andhra Bank, Madhusudan Nagar Branch, Bhubaneswar on 20th November, 2009. Due to non-payment of installments, the loan account was declared NPA on 31st March, 2014. A demand notice under Section 13(2) of the SARFAESI Act, 2002 (for short "the Act, 2002") was issued on 03rd April, 2014 recalling the outstanding liability of Rs.37,56,065/- as on 31st March, 2014. Symbolic possession of the mortgaged-residential flat was assumed on 25th June, 2014 by issuance of notice under Section 13(4) of the Act, 2002.

3. By filing the present writ petition challenge has been laid to the demand notice dated 3rd April, 2014 (Annexure-2) issued under Section 13(2) of the Act, 2002 on the ground of computing the interest component in the outstanding liability.

4. At the time of hearing today, learned counsel for the petitioner states that the present writ petition has become infructuous as the loan account stands closed on clearing of the entire outstanding liability pursuant to an amicable settlement.

5. In view of the above, the writ petition is disposed of as infructuous.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

March 21st, 2022
Cuttack

Basudev