

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4307 of 2019

Pratap Kumar Kar **Petitioner**

Mr. Amarendra Prasad Sahoo, Proxy Counsel
on behalf of Mr. B.K. Parida-2, Advocate

-versus-

**Authorise Officer-cum-Chief
Manager, UCO Bank,
Cuttack**

.... **Opp. Party**
None

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

ORDER (Oral)

15.11.2022

(Hybrid Mode)

Order No.

- 03.** 1. Petitioner-Pratap Kumar Kar is the sole Proprietor of M/s. SWAD Industries against whom recovery proceedings under the SARFAESI Act, 2002 were initiated upon default in repayment of installments of the loan availed from UCO Bank, Cuttack Branch, by issuance of a demand notice dated 27.04.2011 in the month of October, 2011 for an outstanding liability of around Rs.12 lakhs plus future interest. It transpires that the symbolic possession of the mortgaged property was assumed on 17.10.2011 and a sale notice dated 20.01.2019 (Annexure-2 series) was published fixing the auction sale of the mortgaged property for 05.03.2019 towards recovery of the outstanding liability.

The aforesaid sale notice (Annexure-2) has been challenged by filing the present writ petition.

2. It transpires that since the filing of the writ petition on 19.02.2019, no efforts were made for listing of the case.

3. At the time of hearing, learned counsel for the petitioner states that the petitioner does not wish to press the present writ petition.

4. In view of the above, the writ petition is dismissed as not pressed.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

15th November, 2022
Cuttack