

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.5005 of 2022**

**Dibakar Mohapatra**

....

***Petitioner***

Mr. Manas Pati, Advocate

*-versus-*

***Regional Manager, Odisha  
Gramya Bank, Regional  
Office, Dhenkanal and  
another***

....

***Opp. Parties***

Mr. Santosh Kumar Nanda, Advocate  
with Mrs. Anita Nanda, Advocate for the Bank

**CORAM:**

**JUSTICE JASWANT SINGH**

**JUSTICE M.S. RAMAN**

**ORDER (Oral)**

**08.04.2022**

**Order No.**

- 05.**      **1.** This matter is taken up through virtual/physical mode.
- 2.** The petitioner is a defaulting borrower of three loans (Term loan of Rs.18,47,550/-, Cash Credit loan limited of Rs.5,21,550/- and another term loan of Rs.3 lakhs) availed in the year 2015 from Odisha Gramya Bank, Dhenkanal. Due to financial indiscipline, the loan account was declared NPA on 31<sup>st</sup> July, 2021 and a demand notice issued on 29<sup>th</sup> November, 2021 under Section 13(2) of the SARFAESI Act, 2002 (for short “the Act, 2002”) recalling a total dues of Rs.13,87,219/- due as on 31<sup>st</sup> July, 2021. The Symbolic possession was assumed on 19<sup>th</sup> February, 2022.

**3.** By filing the present writ petition challenge has been laid to the demand notice dated 29<sup>th</sup> November, 2021 issued under Section 13(2) of the Act, 2002.

**4.** At the time of hearing, learned counsel for the petitioner prays for permission to withdraw the writ petition to enable the petitioner to seek his remedy in accordance with law.

**5.** In view of the aforesaid, the writ petition is dismissed as withdrawn with aforesaid liberty.

**(Jaswant Singh)  
Judge**

**(M. S. Raman)  
Judge**

Basudev

April 8<sup>th</sup>, 2022  
Cuttack

