

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.4631 of 2019

Pradeep Kumar Padhi

....

Petitioner

Mr. Suryakanta Behera, proxy counsel on behalf of
Mr. R.K. Rout, Advocate

-versus-

***Authorized Officer, Odisha Gramya
Bank & Another***

....

Opposite Parties

Mr. Tuna Sahu, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER

13.09.2022

Order No.

- 06.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner is a proprietor of M/s Maa Cycle Store, which had availed business loan of Rs.20.00 lakhs in the shape of cash credit on 15th October, 2008 from Odisha Gramya Bank, Rasulgarh Branch. Due to non-servicing of the account, it was classified as NPA on 31st December, 2011. A demand notice under Section 13(2) of the SARFAESI Act was issued on 23rd January, 2012 recalling an outstanding liability of Rs. 19,37,974/- due as on 31st December, 2011. The recovery process under the SARFAESI Act has finally culminated into auction of the mortgaged property on 23rd July, 2021 for a sum of Rs.73,30,000/-. The Petitioner is stated to have filed SA No. 55 of 2021 before the DRT, Cuttack, prior to the conduct of the aforesaid auction.

3. At the time of hearing, counsel for the Petitioner prays for permission to withdraw the present writ with liberty to pursue his pending SA No. 55 of 2021 or any other case to be filed before the DRT, Cuttack. A memo to that effect is filed in Court today.

4. Counsel for the Bank has no objection to the above.

5. Accordingly, the writ petition is disposed of as withdrawn with the aforesaid liberty.



(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Aks

September 13, 2022 Cuttack