

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C). No.5690 of 2022

Duryodhan Jena & Another

Petitioners

Mr. R.B. Mishra, Advocate

-versus-

***Branch Manager, Karnataka Bank
Ltd, Jajpur Road Branch &
Another***

Opposite Party

Mr. S.K. Dash, Advocate for
Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

24.06.2022

Order No.

- 04.** **1.** This matter is taken up by virtual/physical mode.
- 2.** The Petitioner had availed a term loan for a sum of Rs.5.00 lakhs for construction of house from Karnataka Bank, Jajpur Road Branch, Jajpur. The loan account was to be cleared within 15 years by payment of 180 instalments with monthly instalment at the rate of Rs.5,605/-. Due to financial indiscipline, the loan account was declared as NPA on 4th September, 2019. Subsequently, a demand notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 21st September, 2020 recalling a sum of Rs.4,86,551/- due as on 4th September, 2020 and symbolic possession of the mortgaged property was assumed vide notice under Section 13(4) of the SARFAESI Act, 2002 issued on 7th February, 2022.

3. At the time of hearing, counsel for the Bank states that the writ petition is not maintainable against the Bank which is a Private Bank.

4. At the outset, Counsel for the Petitioner prays for an unconditional withdrawal of the writ petition.

5. Accordingly, the writ petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

June 24th, 2022 Cuttack

