

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

**W.P.(C) No.5984 of 2022**

***Pravat Nalini Das***

....

***Petitioner***

Ms. Pranayanee Dasmohapatra, Advocate

*-versus-*

***Authorised Officer, Punjab  
National Bank, Bhubaneswar  
& another***

....

***Opp. Parties***

Mr. Saumendra Kumar Ghose, Advocate for the Bank

**CORAM:**

**JUSTICE JASWANT SINGH**

**JUSTICE M. S. RAMAN**

**ORDER (Oral)**

**15.03.2022**

**Order No.**

**02.**

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

**2.** The petitioner is proprietor of M/s. Café-D and is a defaulter in seven loan accounts (Cash Credit, Term Loans and Over-draft facility) raised from the Punjab National Bank, Ranihat Branch, Buxibazar, District-Cuttack in November, 2017 for business purposes. Due to financial indiscipline, the said loan accounts were declared as NPA on 30.03.2021. A Demand Notice was issued under Section 13(2) of the SARFAESI Act, 2002 (for short “the Act, 2002”) on 01.06.2021 recalling the total outstanding amount of Rs.83,34,113/- due as on 01.06.2021 in all the seven loan accounts. Symbolic possession was assumed of the mortgaged properties (offered as collateral security) vide issuance of notice under Section 13(4) of the Act, 2002 on 20.09.2021.

**3.** By filing the present writ petition, a challenge has been laid to the E-auction notice dated 26.02.2022 fixing the auction sale of the mortgaged properties on 08.03.2022 to recover the outstanding liability.

4. Upon the plea on behalf of the petitioner to deposit the amounts overdue for upgrading the seven NPA accounts to a standard account in order to sustain the running business, this Court vide order dated 07.03.2022 had permitted the petitioner to deposit the remaining balance of Rs.6,07,000/- towards upgradation of the accounts while granting interim protection in case of a successful bid on auction on 08.03.2022.

5. At the time of resumed hearing today, learned counsel for the Bank states that all the aforesaid seven accounts have since been upgraded to standard accounts upon deposit of the amounts overdue; and the auction fixed for 08.03.2022 has since been cancelled.

6. Learned counsel for the parties agreed that nothing more survives for adjudication in the present writ petition. Hence, the same is hereby dismissed as infructuous.

**(Jaswant Singh)**  
**Judge**

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

March 15<sup>th</sup>, 2022  
Cuttack

AKK