IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 8643 of 2020

Sarbeswar Swain	....	***Petitioner***
		Mr. T. Panigrahi, Advocate

-versus-

Branch Manager, Indian Overseas Bank, Brahamagiri Branch, Puri & Another	....	***Opposite Parties***
		Mr. Aurovinda Mohanty, Advocate for Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

Order No. **11.05.2022**

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

2. The Petitioner is a defaulting borrower in two loan accounts availed from Indian Overseas Bank, Brahamagiri Branch in the district Puri. The first is the housing loan for a sum of Rs.2,47,000/- (approximately) on 12^{th} September 2011 and the other is the Kisan Credit Card facility with the limit of Rs.20,000/- sanctioned on 13^{th} August, 2010. Due to non-servicing of the accounts, both the accounts were declared as NPA on 30^{th} September, 2021. No further recovery process has been initiated.

3. By filing the present petition, mandamus is sought for directing the Bank to arrive at amicable settlement under the OTS scheme.

4. Mr. Aurovinda Mohanty, counsel for the Bank states that there is no OTS policy prevailing with the Bank. That apart, the opportunity granted by this Court to the Petitioner for upgrading the loan accounts by deposit of amounts overdue has not been availed by the Petitioner, as he has not deposited a single penny.

5. In view of the aforesaid fact that as on today, no recovery process has been initiated, we do not find any reason for entertaining the present petition.

6. Accordingly, the writ petition is dismissed as not maintainable at this stage.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant May 11, 2022 Cuttack