

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7653 of 2022

Sankarshan Pattnaik **Petitioner**

Mr. Subhransu Bhusan Mohanty, Advocate

-versus-

Authorised officer, Urban Co-operative Bank Ltd., Cuttack **Opp. Party**

Mr. Asish Mishra, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

21.04.2022

Order No.

- 03.**
1. This matter is taken up through virtual/physical mode.
 2. The petitioner is the defaulting borrower of a house repairing loan for a sum of Rs.75,000/- availed in the year 1990 from the Urban Co-operative Bank, Cuttack.
 3. By filing the present writ petition, the petitioner had laid challenge to the auction sale notice dated 12th February, 2022 putting the mortgaged property to auction sale on 21st March, 2022 for an outstanding liability of around Rs.6,70,000/- (subject to adjustment).
 4. Upon willingness of the petitioner to clear the entire outstanding liability, this Court had issued notice while permitting the petitioner to pay in

installments the amounts equal to the total outstanding liability.

5. At the time of hearing today, it is conceded by the learned counsel for the Bank that the entire outstanding liability except a sum of Rs.17,000/- towards expenses stands deposited by the petitioner with the Bank. He states that in case the said amount of expenses are paid, the Bank would close the loan account and return the title deeds. In response, learned counsel for the petitioner undertakes to do the needful within next three weeks.

6. In view of the aforesaid developments, the present writ petition is disposed of as infructuous. The parties shall be bound by their respective stands as aforesaid.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

Basudev

April 21st, 2022
Cuttack