

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3232 of 2015

Nanda Kishore Pradhan

.... Petitioner

Mr. B. M. Sarangi, Advocate

-versus-

The Reserve Bank of India,

Bhubaneswar and Another

.... Opp. Parties

None

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN**

**ORDER (Oral)
02.08.2022**

Order No.

- 04.** 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The petitioner is stated to be a defaulting borrower of a loan availed from Srei Equipment Finance Limited-a Non-banking Finance Company for purchasing a Hyundai Excavator (Model F210-7). Due to default in payment of installments, the Finance Company had invoked arbitration proceedings.
3. In view of the Finance Companies having been included in the definition of the 'secured creditor' under the SARFAESI Act, 2002, thereby vesting with the power for invoking the SARFAESI proceedings, the present Writ Petition has been filed with a prayer for directing the Finance Company not to invoke the SARFAESI proceedings.

4. At the time of hearing, Mr. Sarangi states that the present Writ Petition has become infructuous in view of the loan account having been settled and closed.

5. In view of the above, the Writ Petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

2nd August, 2022
Cuttack

