

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11956 of 2014

***Ramesh Chandra
Agrawalla***

.... ***Petitioner***
None

-versus-

***The Chief Manager-cum-
Authorized Officer, UCO
Bank, Sambalpur Branch,
Sambalpur, District-
Sambalpur***

.... ***Opp. Party***

Mr. Subrat Kumar Mohanty,
Advocate for the Bank

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

**ORDER (Oral)
21.07.2022**

Order No.

- 05.** 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The defaulting borrower of a loan account No.01220607165022 in UCO Bank, Sambalpur Branch, Sambalpur has filed the present writ petition challenging the recovery process initiated under the SARFAESI Act, 2002 leading up to fixing of the auction sale of the secured asset on 31st July, 2014. Further prayer is for a direction for settling the loan account under the OTS scheme.

3. This Court on 28th July, 2014 passed the following interim order:

“It is directed that auction in question pursuant to Annexure-5 may be held but neither the sale shall be confirmed nor the petitioner shall be ousted from the property in question without leave of this Court subject to petitioner depositing Rs.2.50 lakhs (rupees two lakhs fifty thousand) within a period of four weeks.”

4. At the time of hearing, learned counsel for the Bank states that the present Writ Petition has become infructuous in view of the loan account having been closed on account of a settlement.

None has appeared to rebut the stand of the Bank.

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

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

21st July, 2022
Cuttack