

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P(C). No.7905 of 2022

Pramila Nayak & Others

....

Petitioner

Mr. Rama Chandra Ray, Advocate

-versus-

***Authorized Officer, Indian
Overseas Bank, Regional Office,
Bhubaneswar & Another***

....

Opposite Parties

None

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

ORDER (Oral)
22.06.2022

Order No.

- 01.** **1.** This matter is taken up by virtual/physical mode.
- 2.** Petitioner No.1 along with her late husband had availed a term loan for a sum of Rs.28.00 lakhs from the Indian Overseas Bank, Regional Office, Bhubaneswar in the year 2013 for business purpose. It is stated that due to the onset of Corona Pandemic, the loan could not be properly serviced leading to the account being classified as NPA on 30th October, 2021. The co-borrower (husband) has also unfortunately died on 29th September, 2021.
- 3.** By filing the present writ petition, challenge has been laid to the notice dated 30th November, 2021 issued under Section 13(2) of the SARFAESI Act, 2002 seeking to recall the outstanding

liability of Rs.30,43,927/- along with interest and expenses due as on issue of date of notice.

4. At the time of hearing realising that the challenge to the simpliciter notice under Section 13(2) of Act, 2002 is not maintainable, counsel for the Petitioner prays for permission to withdraw the writ petition to await the decision of the reply/objection dated 18th June, 2022 allegedly filed by the Petitioner to the aforesaid demand notice.

5. In view of the above, the writ petition is dismissed as withdrawn.

Issue urgent certified copy as per rules.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

June 22nd, 2022
Cuttack