

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20418 of 2014

Laxman Kumar Pradhan

Petitioner

Miss Isha Roy, Proxy Counsel,
on behalf of Mr. P.K. Samantray, Advocate

-versus-

***Authorised Officer-cum-
Chief Manager, State
Bank of India, Regional
Business Office-I,
Keonjhar & Another***

....

Opposite Parties

None

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE G. SATAPATHY**

ORDER (Oral)

25.11.2022

(Hybrid Mode)

Order No.

- 07.** **1.** Petitioner is stated to have availed a loan of Rs.4.15 lakhs for purchase of a Tractor from State Bank of India, Akul Branch, District-Keonjhar. Due to non-deposit of the installments, the loan account was classified as NPA leading to issuance of a demand notice dated 12.06.2014 (Annexure-2) under Section 13(2) of the SARFAESI Act, 2002 recalling the outstanding liability of Rs.8,05,702/- due as on 07.06.2014 with future interest and incidental expenses. The symbolic possession of the immovable mortgaged property offered as a collateral security was assumed vide notice dated 01.09.2014 under Section 13(4) of the SARFAESI Act, 2002.

2. By filing the present writ petition, the challenge has been led to the aforesaid two notices without laying any legal basis in the pleadings.

3. This Court while issuing notice vide order dated 20.11.2014 had granted the following protection:

“Misc. Case No.17904 of 2014

Heard.

As an interim measure, we direct that no coercive action shall be taken by the opposite parties against the petitioner till the next date subject to the petitioner depositing a sum of Rs.2,00,000/- (two lakh) with the opposite parties-bank.

Urgent certified copy of this order be granted on proper application after filing the requisites for issue of notice.”

4. At the time of hearing, learned counsel for the petitioner states that they have no information regarding deposit of any amount in compliance of the aforesaid interim order nor have instructions to pursue the present writ petition.

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

(Jaswant Singh)
Judge

(G. Satapathy)
Judge

AKK

25th November, 2022
Cuttack