

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18163 of 2014

Achyutananda Jena ***Petitioner***

Mr. S. Mishra, Proxy Counsel,
on behalf of Mr. S. Bahadur, Advocate

-versus-

***Branch Manager, State Bank
of India, Niali Branch, Niali,
District-Cuttack***

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

Mr. M.K. Mohapatra, Advocate for the Bank

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

ORDER (Oral)

18.11.2022

(Hybrid Mode)

Order No.

- 07.** **1.** The petitioner had availed an agricultural Term Loan for Rs.5,84,000/- from State Bank of India, Niali Branch, Nialia, District-Cuttack on 03.08.2010 for purchase of a Tractor. Due to financial indiscipline, the loan account of the petitioner was classified as NPA and a demand notice under Section 13(2) of the SARFAESI Act, 2002 (for short “the Act, 2002”) was issued on 25.02.2014 recalling the entire outstanding liability of Rs.5,56,921/- along with interest as on 15.11.2013. Thereafter a possession notice under Section 13(4) of the Act, 2002 was issued on 05.08.2014.

Aggrieved by the notice dated 05.08.2014, the Petitioner has preferred this writ petition.

2. At the time of hearing, learned counsel for the Bank states that the aforesaid writ petition has become infructuous in view of the loan account itself having been closed since the year 2017 upon deposit of the required amounts under an amicable settlement.

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

**(Jaswant Singh)
Judge**

**(M.S. Sahoo)
Judge**

AKK

18th November, 2022
Cuttack

