

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21690 of 2013

Manisha Manjari Das

.... Petitioner

None

-versus-

***Authorized Officer, A.G.M.
& C.L.O., State Bank of
India, Stressed Assets
Management Branch
(SAMB), Pandit Jawaharlal
Marg, Bhubaneswar,
Khurda and Another***

.... Opp. Parties

None

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

**ORDER (Oral)
14.12.2022**

(Hybrid Mode)

Order No.

- 04.** **1.** Petitioner is stated to have availed a loan from State Bank of India, Jaleswar Branch, District-Balasore. Due to non-servicing of the loan account, the same was classified as NPA on 7th December, 2009 leading to the issuance of a Demand Notice dated 19th July, 2013 recalling the outstanding liability of Rs.69,48,363/- due as on 18th July, 2013 plus further interest and incidental expenses.
- 2.** By filing the present Writ Petition, challenge has been laid to the recovery process initiated under the SARFAESI Act, 2002.

3. This Court on 20th September, 2013, passed the following order:

“Issue notice to the opposite parties on the question of admission by registered post with AD, requisite for which shall be filed within a week.

The notice be made returnable within four weeks and list this matter after the ensuing Durga Puja holidays.

As an interim measure, this Court directs that no coercive action shall be taken against the petitioner till 5.11.2013 subject to the petitioner depositing a sum of Rs.7,50,000/- (seven lakh fifty thousand) with the bank in two equal instalments. The first instalment shall be deposited by 15.10.2013 and the second by 15.11.2013.

Issue urgent certified copy.”

4. At the time of hearing, a memo has been filed by the learned counsel for the petitioner stating therein that in view of the compromise settlement between the petitioner and the Bank, loan account has already been closed and a “No Objection Certificate” was issued by the Bank in favour of the petitioner.

By filing the memo, he prays for an unconditional withdrawal of the present Writ Petition.

5. In view of the memo filed, the present Writ Petition stands dismissed as infructuous.

**(Jaswant Singh)
Judge**

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