

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21573 of 2012

Ranjan Kumar Routray ***Petitioner***

Mr. Bidyadhar Pradhan, Advocate

-versus-

Union of India & Others ***Opp. Parties***

Mr. Gurudutta Kar, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

28.10.2022

Order No.

06.

This matter is taken up through virtual/physical mode.

1. Petitioner is the Proprietor of M/s. Sri Sri Radha Raman Construction, which had availed a Housing Loan for a sum of Rs.5,00,000/-, a Term Loan of Rs.3,70,000/- and a Cash Credit limit of Rs.15,00,000/- from Indian Overseas Bank, Paradeep Branch in the year 2004. To secure the three said loans, an equitable mortgage of around seven properties was executed.

2. Due to financial indiscipline, the loan accounts were classified as NPA on 28.09.2007. A demand notice dated 13.09.2012 (Annexure-1) was issued recalling the aggregate liability of Rs.37,71,288/-.

3. This Court while issuing notice had granted interim protection vide order dated 06.02.2013 which reads as under:

“Issue notice to the opposite parties 1 and 2 on the question of admission by registered post with AD, requisites for which shall be filed within a week.

The notice be made returnable within four weeks and list this matter immediately thereafter.

As an interim measure, this Court directs that no coercive action shall be taken against the petitioner pursuant to Annexure-1 till 18.3.2013 subject to the petitioner depositing a sum of Rs.4,00,000/- (four lakhs) with the bank in two equal installments. The first installments shall be deposited by 28.2.2013 and the second by 10.3.2013.

Issue urgent certified copy.”

4. At the time of hearing, learned counsel for the parties submit that the present writ petition has become infructuous as all the three loans have since been closed upon deposit of the required amounts.

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

**(Jaswant Singh)
Judge**

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

AKK

October 28th, 2022
Cuttack