

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P (C) No. 7076 of 2013

Chaturbhuja Samal

....

Petitioner

None

-versus-

***Regional Manager, State Bank of
India & Another***

....

Opposite Parties

None

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
29.06.2022

Order No.

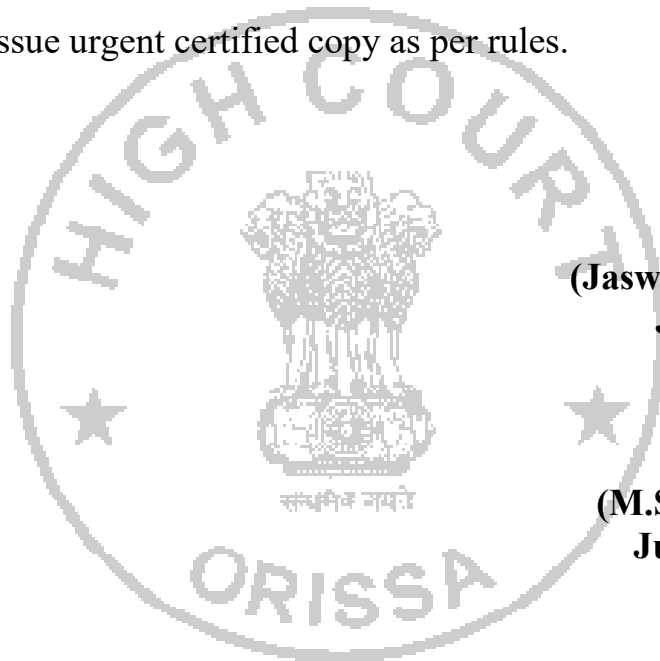
- 06.**
- 1.** This matter is taken up by virtual/physical mode.
 - 2.** The Petitioner is a defaulting borrower, who availed a Tractor Loan to the tune of Rs.3,50,000/-. Since there was irregularity in repayment, vide notice dated 12th January, 2013, the State Bank of India, Musanala Branch in the district of Kalahandi, intimated that an amount of Rs.1,05,000/- stands outstanding as overdue. It is also intimated in the said notice that in the event, the Petitioner would not clear up the amount overdue, legal action would be taken against the borrower and the guarantor.
 - 3.** This Court vide order dated 11th April, 2013 issued notice and as an interim measure directed the Petitioner to deposit a sum of Rs.10,000/- and in that event of such deposit, the Opposite Parties –Bank would not take any coercive action against the Petitioner.

4. On earlier occasion, the matter was posted for hearing on 20th April, 2022, none appeared for either party. However, before proceeding to dismiss for non-prosecution, this Court had granted one opportunity in the Petitioner to put in appearance.

5. When the matter is taken up today, none appeared for either the Party. It is construed that by efflux of time the cause of action does not survive any more.

6. Hence, the writ petition is dismissed as infructuous.

Issue urgent certified copy as per rules.



(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

June 29th, 2022
Cuttack