

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1247 of 2013

G Purna Chandra Patra

....

Petitioner

None

-versus-

***Regional Manager-cum-
Authorized Officer, S.B.I.,
Regional Business Office,
Bhawanipatna, District-
Kalahandi and Another***

....

Opp. Parties

Mr. G.D. Kar,
Advocate for the Bank

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

**ORDER (Oral)
27.07.2022**

Order No.

- 04.** 1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. The Petitioner is a defaulting borrower of a loan availed for purchase of a vehicle to the tune of Rs.5 Lakhs from State Bank of India, Biswanathpur Branch, Kalahandi in the year 2007. Due to non-payment of the installments, the recovery process under the SARFAESI Act, 2002 was initiated.
3. By filing the present Writ Petition, challenge has been laid to the memo dated 29th September, 2012

(Annexure-4), whereby the proposal for One Time Settlement of the loan Account bearing No.11674378484 has been rejected in view of the offer being too low as against the securities available. Further prayer is made for directing the Bank officials to take steps for rephasement/One Time Settlement of the dues.

This Court while issuing notice on 30th January, 2013 had passed the following order:-

“Issue notice to the opposite parties 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 three 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-5 till 10.03.2013 subject to the petitioner depositing a sum of Rs.25,000/- (twenty-five thousand) with the bank within a period of one month from today.

Issue urgent certified copy.”

4. At the time of hearing, Mr. G.D. Kar appearing for the Bank upon instructions, states that there are no dues in the said aforesaid loan account, therefore rendering the present Writ Petition has become infructuous.

None has appeared on behalf of the Petitioner to refute the aforesaid factual situation.

5. In view of the above, the Writ Petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

27th July, 2022
Cuttack

