

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9490 of 2012

Ganeswar Barik

....

Petitioner

Mr. Biren Sankar Tripathy, Advocate

-versus-

***The Branch Manager, State
Bank of India, Chimla Branch,
Keonjhar and another***

....

Opp. Parties

Mr. G.D. Kar, Advocate for the Bank/O.P. Nos.1 & 2.

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M. S. RAMAN

ORDER (Oral)

22.03.2022

Order No.

- 07.**
- 1.** This matter is taken up through virtual/physical mode.
 - 2.** The petitioner was a defaulting borrower of a loan availed from State Bank of India, Chimla Branch, Keonjhar for purchase of a Tractor. Due to non-payment of installments the loan account was declared NPA and proceedings for recovery under the SARFAESI Act, 2002 were initiated.
 - 3.** By filing the present writ petition challenge has been laid to the notice dated 14th March, 2012 (Annexure-3), whereby a demand for the balance amount of Rs.3,53,000/- has been made after the seizing of the tractor and sold for a sum of Rs.1,80,000/-.
 - 4.** This Court while issuing notice had stayed the demand for the balance amount vide interim order dated 2nd July, 2012.
 - 5.** At the time of hearing, learned counsel for the petitioner states that his client has not contacted him for years together.

6. Learned counsel for the Opposite Parties/Bank states that the particulars of the loan accounts are not available with the Bank, meaning thereby the loan account stands closed.

7. In view of the above, the writ petition is dismissed as infructuous. In case there is any subsisting cause of action, the petitioner is free to seek revival of the present writ petition by making a proper application within six weeks from today.

The Registry is directed to inform the opposite parties of this order.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

Basudev

March 22nd, 2022
Cuttack

