

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2118 of 2013

**M/s. Maa Shyama Traders,
Jajpur**

.... ***Petitioner***

Ms. Deepali Mohapatra, Advocate

-versus-

***Authorized Offier-cum-Chief
Manager, State Bank of
India, Jajpur Town Branch,
Jajpur and another***

.... ***Opp. Parties***

Mr. Satyabatra Acharya, Advocate for the Bank

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

**ORDER (Oral)
14.03.2022**

Order No.

- 04.**
- 1.** This matter is taken up through virtual/physical mode.
 - 2.** The defaulting borrower has laid challenge to the demand notice dated 14th September, 2012 issued under Section 13(2) of the SARFAESI Act, 2002 recalling the outstanding dues of Rs.5,59,154/- as on 31st December, 2011; as also notice dated 31st December, 2012, whereby on assumption of symbolic possession, the petitioner was directed to hand over vacant possession of the mortgaged property/ Secured Asset.
 - 3.** At the time of hearing, learned counsel appearing for the Bank states that the present writ petition has

become infructuous in the light of the loan account having been closed upon deposit of the agreed amount under an OTS scheme towards the total outstanding liabilities.

4. In view of the statement of the learned counsel for the Bank, learned counsel for the petitioner concedes that the present writ petition has become infructuous.

5. The writ petition is dismissed as infructuous.

March 14th, 2022
Cuttack

AKK

