

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.9317 of 2022**

*Naka Nukal Raju and another* .... *Petitioners*  
Mr. T. K. Sahoo, Advocate  
-versus-  
*Authorized Officer, Union Bank* .... *Opposite Parties*  
*of India, Rayaagada and another*  
Mr. S.K. Ghose,  
Advocate for the Bank

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

**ORDER (Oral)**

**19.05.2022**

**Order No.**

02.

1. This matter is taken up through virtual/physical mode.
2. Naka Nukal Raju (Petitioner No.1) is a defaulting borrower of cash credit loan account for a sum of Rs.4,90,000/- availed on 28<sup>th</sup> May, 2014 and recovery process initiated with an outstanding liability to the tune of Rs.10,86,324/- as on 30<sup>th</sup> April, 2022.
3. Naka Umadevi (Petitioner No.2), who is the wife of Petitioner No.1 is also defaulting borrower of cash credit facility availed for a sum of Rs.4,90,000/- on 21<sup>st</sup> May, 2014 and recovery process initiated with an outstanding liability to the tune of Rs.7,69,453/- as on 30<sup>th</sup> April, 2022.
4. It transpires that one Naka Bichamma is a defaulting borrower of housing loan account availed for a sum of Rs.5,90,000/- on 19<sup>th</sup> May, 2014 and recovery process initiated with an outstanding liability to the tune of Rs.6,92,515/- as on 30<sup>th</sup> April, 2022.
5. It is conceded fact that the immovable property belonging to Naka Bichamma has been offered as a collateral

security in all the three loan accounts, i.e. Petitioner No.1, Petitioner No.2 and Naka Bichamma herself.

6. In the instant writ petition, the Petitioner Nos.1 and 2 have laid challenged to the sale notice dated 25<sup>th</sup> March, 2022, whereby the mortgaged property (offered as collateral security in aforesaid three accounts) was put to auction for sale on 29<sup>th</sup> April, 2022 to recover the outstanding liabilities in all the three aforesaid loan accounts.

7. At the time of hearing, counsel for the Bank states that the present writ petition has become infructuous as the auction fixed for 29<sup>th</sup> April, 2022 has failed for want of any intending bidders.

8. In response, counsel for the Petitioners is unable to dispute the aforesaid factual position.

9. Accordingly, this writ petition is dismissed as infructuous.

**(Jaswant Singh)**  
**Judge**

**(M.S. Raman)**  
**Judge**