

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9797 of 2019

Rabindra Kumar Sahu **Petitioner**

Mr.P.K.Kar, Advocate

-versus-

Authorised officer, Odisha **Opp.parties**
Gramya Bank & another

Mr.S.K.Behera, Advocate for Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S.SAHOO

ORDER (Oral)

15.12.2022

Hybrid Mode

Order No.

06. 1. The petitioner is a defaulter of a house building loan for a sum of Rs.4,00,000/- availed on 23rd February, 2011 from Odisha Gramya Bank against whom the recovery process under the SARFAESI Act, 2002 was initiated by issuance of demand notice dated 11th April, 2016 under Section 13(2) of the SARFAESI Act, 2002 recalling the outstanding liability of Rs.5,72,000/-. The symbolic possession of the mortgaged house was assumed on 23rd May,2018 by issuance of notice under Section 13(4) of the SARFAESI Act, 2002.
2. The present petition has been filed challenging the e-auction notice dated 25th November,2022 fixing the auction sale of the mortgaged property on 30th December,2022 for a recovery of an outstanding amount of Rs.6,35,000/-.
3. At the outset, Mr. S.K.Behera, learned counsel appearing for the Bank on advance notice submits that

the said auction has been withdrawn, thereby rendering the present writ petition as infructuous.

In view of the above, the writ petition is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S.Sahoo)
Judge

15th December, 2022
Cuttack

Gs/Radha

