

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No. 15356 of 2016

Purna Chandra Malik

....

Petitioner

None

-versus-

UCO Bank, Balasore & Another

....

Opposite Parties

Mr. Chitta Ranjan Swain, Advocate for
Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
20.04.2022

Order No.

- 04.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner had raised a term loan for sum of Rs.2.00 lakhs from UCO Bank, Bahanga Branch, Balasore on 18th March, 2011 for business purposes. Due to non-payment of installments, the loan account was classified as NPA on 30th September, 2015. A demand notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 17th December, 2015, recalling the outstanding amount of Rs.3,00,175/-. Subsequently, symbolic possession was assumed vide notice dated 18th April, 2016 issued under 13(4) of the SARFAESI Act, 2002.
 3. The Petitioner-defaulting borrower by filing the present petition has made challenge to the notice dated 18th April, 2016 assuming symbolic possession.

4. None has put an appearance for the Petitioner.
5. We find that there is no basis laid down much less any legal ground for assailing the aforesaid possession notice.
6. Mr. Chitta Ranjan Swain, counsel for the Bank states that as on today, a sum of Rs.3,57,000/- approximately is outstanding, and as per his instruction, the Petitioner is in touch with the Bank official for liquidating the account.
7. In view of the above, the writ petition is dismissed for non-prosecution.

(Jaswant Singh)

Judge

(M.S. Raman)

Judge

Laxmikant

April 20, 2022 Cuttack

