

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3404 of 2009

Debaraj Sahoo

....

Petitioner

Mr. Ramesh Chandra Sahoo, Advocate

-versus-

**The Branch Manager, Orissa
State Financial Corporation &
others**

....

Opposite Parties

Mr. Bijay Kumar Dash, Advocate
(for Opposite Party Nos.1 and 2)

Mr. Umesh Chandra Mohanty, Advocate
(for Opposite Party No.3)

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

12.01.2022

Order No.

- 05.**
- 1.** This matter is taken up through Virtual Mode.
 - 2.** Petitioner is the guarantor and seeking protection of his property qua the liability of the defaulting loanee-Surendra Narayan Mishra/Opposite Party No.3.
 - 3.** Mr. Dash, learned counsel for the Orissa State Financial Corporation submits that in view of Opposite Party No.3 having availed the O.T.S. and cleared up the liabilities, nothing would survive in the present writ petition.
 - 4.** Learned counsel for the loanee/Opposite Party No.3 states that he has paid the entire amount as per the amicable settlement and his loan account has since been closed.
 - 5.** In view of the above, the writ petition is dismissed as infructuous.

6. The Title Deeds of the mortgaged property, if there is no other legal impediment, shall be released.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

January 12th, 2022
Cuttack

AKK

