

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.12405 of 2022

Sarita Sabat & Another

....

Petitioners

Mr. Nrusingha Nanda Mohapatra, Advocate

-versus-

Punjab National Bank & Others

....

Opposite Parties

Mr. Sudeep Kumar Sarangi, Advocate for Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

21.07.2022

Order No.

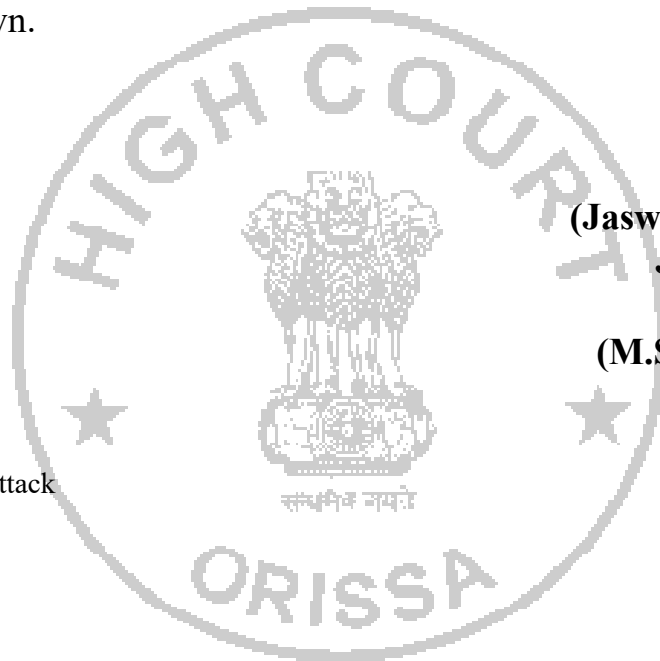
- 02.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioner No.1 is a defaulting borrower of Over Draft facility of Rs.10.00 lakhs in the year 2018 from the Punjab National Bank, Berhampur in the district of Ganjam. Due to financial indiscipline, the loan account was classified as NPA on 31st July, 2019, Subsequently, a demand notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 8th August, 2019, recalling an amount of Rs.10,07,296/- and symbolic possession of the secured asset was assumed vide notice under Section 13(4) of the SARFAESI Act, 2002 issued on 25th February, 2022.
 3. Subsequently, the Opposite Party Bank having moved the District Magistrate, Ganjam direction was issued on 4th May, 2022 for rendering Police Assistance.
 4. It is stated at the bar that mutual settlement has been arrived at in the Permanent & Continuous Lok Adalat, Berhampur, Ganjam on 14th May, 2022.

5. Accordingly, I.A. No. 8389 of 2022 has been filed by the Petitioner No.2, guarantor, for unconditional withdrawal of the writ petition.

6. The Petitioner No.2 has made the following prayer:-

“It is therefore prayed that this Hon’ble Court may graciously be pleased to permit the Petitioners for withdrawal of writ petition as the Petitioners wants to go for O.T.S. xxx”

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 In view of the above, the writ petition is dismissed as withdrawn.



(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

July 21st, 2022 Cuttack