

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

**W.P.(C) No.17108 of 2012**

***M/s. S.P.N.T. Educational  
Research & Economic  
Development Trust***

***.... Petitioner***

Mrs. Padmaja Patnaik, Advocate

***-versus-***

***Authorized Officer, State  
Bank of India, S.M.E.C.C.C.  
Branch, Cuttack***

***.... Opp. Party***

Mr. G.D. Kar, Advocate for the Bank

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

**ORDER (Oral)  
06.09.2022**

**Order No.**

- 18.**     **1.** This matter is taken up through hybrid arrangement (virtual/physical mode).
- 2.**     Petitioner-Trust is stated to have availed a Term loan for a sum of Rs.17 lakhs and a Home loan for a sum of Rs.4 lakhs from State Bank of India, S.M.E.C.C.C. Branch, Cuttack for establishing an I.T.I. Unit. Due to financial indiscipline, both the loan accounts were declared NPA and recovery processes under the SARFAESI Act, 2002 (for short “the Act, 2002”) was initiated.
- 3.**     The challenge in the present writ petition laid is to the Demand Notice dated 28.11.2011 issued under

Section 13 (2) of the Act, 2002 recalling the outstanding liability amounting to Rs.20,58,216/- as on 27.11.2011 and the Notice dated 21.08.2012 issued under Section 13 (4) of the Act, 2002 assuming symbolic possession.

**4.** This Court vide interim orders dated 17.10.2012/ 30.07.2013 had granted interim protection subject to payment of the stipulated amounts.

**5.** At the time of hearing, learned counsel for the parties concede that the present writ petition has become infructuous in view of the aforesaid loan accounts having been closed upon settlement of the accounts.

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

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

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

AKK

6<sup>th</sup> September, 2022  
Cuttack