

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13953 of 2022

Manoranjan Lenka* *Petitioner

Mr.S.R. Jena, Advocate

-versus-

***A.O., Union Bank of India, Opp. Parties
Bhubaneswar and another***

Mr.Tuna Sahu, Advocate

**CORAM:
JUSTICE S.K. SAHOO
AND
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
02.06.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. Tuna Sahu, learned counsel submits that he has the instruction to appear on behalf of the opposite party-Bank and he will file his appearance memo during course of the day.

Heard Mr. S.R. Jena, learned counsel for the petitioner and Mr. Tuna Sahu, learned counsel for the opposite party-Bank.

The petitioner Manoranjan Lenka has filed this writ petition seeking to quash the possession notice dated 31.08.2021 under Annexure-2 issued by the opposite party-Bank and to direct the opposite party-

Bank to issue clearance to the petitioner.

It appears from the Bank's statement under Annexure-3 series that the outstanding loan dues against the petitioner as on 25.10.2021 is to the tune of Rs.2,69,085.72 paise (rupees two lakhs sixty nine thousand eighty five and seventy two paise).

Learned counsel for the petitioner submitted that the petitioner is ready and willing to deposit 25% of the outstanding dues and make an application for One Time Settlement/settlement of the loan dues and direction may be given to the opposite party-Bank to consider the same giving opportunity of hearing to the petitioner.

Considering the submissions made by the learned counsel for the respective parties, without entering into the merits of the case, this writ petition is disposed of with a direction that if the petitioner deposits 25% of the outstanding dues and files an application for One Time Settlement/settlement of the loan dues within a period of two weeks from today before the opposite party no.2, the same shall be considered in accordance with law by giving opportunity of hearing to the petitioner within a further period of two weeks and the decision taken thereon shall be communicated to the petitioner. It is made clear that in the event the petitioner fails to deposit the amount as directed within the time

stipulated, the opposite party-Bank is at liberty to take steps against the petitioner in accordance with law. Till consideration of such application for One Time Settlement/settlement of the loan dues, no coercive action shall be taken against the petitioner. On deposit of such amount by the petitioner within the time stipulated, the physical possession of the property in question shall be handed over to the petitioner.

Issue urgent certified copy as per Rules.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge



PKSahoo