

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.17579 of 2021

Chandra Sekhar Rana

....

Petitioner

None

-versus-

**Regional Head, Union Bank of
India, Regional Office, Berhampur
& Others**

....

Opposite Parties

Mr. Manoj Kumar Mishra,
Advocate for Union Bank of India

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

22.07.2022

Order No.

- 05.** **1.** This matter is taken up by virtual/physical mode.
- 2.** Challenging the notice dated 7th April, 2022 issued under Section 13(2) of the SARFAESI Act, 2002, recalling an amount of Rs.41,03,024.30 as on 31st April, 2021, the Petitioner has come up before this Court with a prayer to direct the Opposite Parties to allow the Petitioner to deposit outstanding amount with suitable installments. Due to financial indiscipline in servicing the loan account bearing No.625905040000105, the account was classified as NPA on 31st March, 2021. A counter affidavit has been filed before this Court on 18th August, 2021 stating therein that the outstanding loan amount stands at Rs.38,82,711.67 as on 19th July, 2021.
- 3.** This Court *vide* Order dated 23rd June, 2021 while issuing notice to the Opposite Parties, as an interim measure directed no coercive action against the Petitioner. However on 18th April, 2022, considering the statement of Mr. M.K. Mishra, counsel for the Bank

(4) *At this stage, counsel for the Petitioner states that the Petitioner is prepared to liquidate the entire liability within four months and to show his bona fides he is ready to deposit a sum of Rs.10.00 lakhs upfront xxx.*

(7) *Let the Petitioner deposit a sum of Rs.10.00 lakhs with the Bank before the next date and also file an undertaking by way of affidavit to clear the remaining balance within four months of such deposit.”*

4. When the matter is taken up today, none appeared for the Petitioner. Heard Mr. M.K. Mishra, counsel for the Opposite Parties/Bank who submitted that the earlier orders of this Court has not been complied with.

5. In view of such submission, since the Petitioner has not complied with the orders passed by this Court in the present case, and the counsel for the petitioner has not put in appearance today to place any instruction, this writ petition is dismissed.

Issue urgent certified copy as per rules.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge