

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14479 of 2022

Sandhya Rani Mishra* *Petitioner

Mr.S.C. Puspalaka, Advocate

-versus-

The A.O.-cum- Chief Manager, Union Bank of India, Sambalpur & another* *Opp. Parties

Mr.Tuna Sahu, Advocate

**CORAM:
JUSTICE S.K. SAHOO
AND
JUSTICE MURAHARI SRI RAMAN**

**ORDER
10.06.2022**

Order No.

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

Mr. Tuna Sahu, learned counsel files his appearance memo in Court today, which taken on the record.

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

The petitioner has filed this writ petition challenging the auction notice dated 27.05.2022 under Annexure-6 issued by the opposite party-Bank and to direct the opposite party-Bank to settle the loan

account under the O.T.S. Scheme by waiving the interest.

Mr. Tuna Sahu, learned counsel for the opposite party-Bank on instruction submitted that the outstanding loan dues against the petitioner as on 19.11.2021 is to the tune of Rs.1,26,57,000/- (rupees one crore twenty six lakhs fifty seven thousand).

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 simultaneously 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.1, 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 in writing. 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. However, the process of auction shall continue but no final decision shall be taken till disposal of the said application.

Issue urgent certified copy as per Rules.



PKSahoo