

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.13829 of 2019

Rina Maharana and

....

Petitioner

Ms. Manashi Das, Advocate

-versus-

State Bank of India, Retail

....

Opp. Parties

Asset Small & Medium

Enterprises Credit Centre,

Brahma Nagar, Zonal Office,

Berhampur and Others

Mr. Ambika Prasad Mishra, Advocate for Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M. S. RAMAN

ORDER (Oral)

18.02.2022

Order No.

- 03.**
- 1.** This matter is taken up by virtual/physical mode.
 - 2.** The Petitioner in the present Writ petition vide WP (C) No. 13829 of 2019 had challenged the Possession Notice issued by Opposite Party No. 2 under Section 13(4) of SARFAESI Act, 2002 and prayed for quashing of the same.
 - 3.** The brief facts of the case are that the O.P. No.3 had sanctioned a Cash credit facility to the limit of ₹10 lakhs on 22.02.2013 in favour of the Petitioner. Further, the O.P. No.3 again sanctioned a Housing Medium Term Loan of ₹9,81,405/- in favour of Petitioner. After execution of necessary documents, a total amount of ₹9,50,000/- was disbursed to the

Petitioner. The above loan amount was secured by bank through mortgage of various immovable Homestead properties which included a building. The Petitioner managed to pay the installments regularly for few years. However, in the year 2019, it defaulted in making the payment of monthly installments. Consequently, the OP No. 2 issued a notice under Section 13(2) of SARFAESI Act, 2002 dated 12.04.2019. Also, a Notice under Section 13(4) of SARFAESI Act was issued on 30.07.2019.

4. At the time of Argument, counsel for the Petitioner requested to withdraw the Writ Petition.

5. In view of the above request, the Writ Petition numbered WP(C) No.13829 of 2019 stands disposed of as withdrawn.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

February 18th 2022
Cuttack