

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23693 of 2021

Basanta Kumar Behera **Petitioner**

Mr. Ravi Shankar Samal, Advocate

-versus-

Authorized Officer, ORHDC **Opp. Parties**
Ltd. and others

Mr. L. Samantaray, AGA

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S.SAHOO

ORDER (Oral)

07.02.2022

Order No.

- 02.**
- 1.** This matter is taken up through hybrid mode.
 - 2.** The petitioner is a defaulting borrower and is seeking a direction for consideration of his loan account under the OTS Scheme.
 - 3.** Learned counsel for the petitioner is heard at length.
 - 4.** It emerges that the petitioner had availed a loan of around Rs.2.5 lakhs from Odisha Rural Housing & Development Corporation Limited (ORHDC), Bhubaneswar in the year 1998. To clear the loan, the dwelling house of the petitioner was mortgaged as collateral security. Due to non-payment of three instalments, the loan account was declared NPA and a demand notice under Section 13(2) of the SARFAESI Act was issued on 6th December, 2004 recalling the outstanding amount of Rs.5,52,732/- as on 30th November, 2004.

P.T.O.

5. Learned counsel for the petitioner, to a pointed query, is unable to state the consequent action initiated by the Bank for recovery of the outstanding dues.

6. He, thus graciously concedes that no writ would be maintainable for challenging the demand notice u/s. 13(2) of 2002 Act. He has also not placed on record any prevailing OTS policy or any previous OTS policy issued by the O.P.NO.2 which would have provided a right to the petitioner for consideration.

7. In view of the lack of material particulars, we are not inclined to invoke our writ jurisdiction. Accordingly the writ petition is hereby dismissed.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

dutta

February 7th 2022
Cuttack