

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19900 of 2022

Meera Das

....

Petitioner

Ms. S. Behera, Advocate

-versus-

***The Chief Manager &
Authorised Officer, Union
Bank of India, Cuttack and
Another***

....

Opp.Parties

Mr. Anshuram Mishra, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

23.09.2022

Order No.

03.

This matter is taken up through virtual/physical mode.

1. The petitioner-Meera Das is the wife of Prasanta Kumar Das and mother of Tushar Ranjan Das. Petitioner has offered the immovable property owned by her as a collateral security in respect of two loans aggregating around Rs.20 lakhs availed in the year 2015 by her husband and son from Union Bank of India.

2. Due to financial indiscipline, the loan accounts were classified as NPA on 31.03.2022 leading to initiation of the recovery process under the SARFAESI Act, 2002 (for short "the Act, 2002") by issuance of a demand notice dated 18.04.2022 under Section 13(2) of the Act, 2002.

3. By filing the present writ petition, a challenge has been laid to the E-auction notice dated 25.07.2022 fixing the auction sale of the collateral security on 30.08.2022. This court while issuing notice vide order dated 29.08.2022 had directed the petitioner to deposit a sum of Rs.3 lakhs.

4. At the time of resumed hearing today, learned counsel for the petitioner submits that the petitioner has deposited a sum of Rs.4 lakhs in compliance of the orders passed by this Court, whereas the counsel for the Bank makes a statement before this Court that not only has the auction fixed for 30.08.2022 failed for want of any bidders but upon deposit of sum of Rs.4 lakhs, the loan accounts have been upgraded to standard accounts thereby, rendering the present writ petition as infructuous.

5. In view of the above, the writ petition is dismissed as infructuous.

**(Jaswant Singh)
Judge**

**(M. S. Raman)
Judge**

Basudev

23rd September, 2022
Cuttack