

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23777 of 2020

Mounabati Shaw & Another **Petitioners**

Mr. S. Roy, Advocate

-versus-

**Chief Manager-cum-
Authorized Officer, State
Bank of India, Udala
Branch, Udala, District-
Mayurbhanj**

.... **Opp. Party**

None

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
17.11.2022
(Hybrid Mode)**

Order No.

02. 1. Petitioner No.1 is the defaulting loanee and the Petitioner No.2 is the guarantor of Cash Credit facility availed by Petitioner No.1 to the tune of Rs.15 lakhs on 27.03.2017 as also a Home Loan for a sum of Rs.9,30,000/- availed on 01.04.2017, and another Housing Top Up Loan of Rs.4,90,000/- on 04.07.2018 from State Bank of India, Udala Branch, Dist- Mayurbhanj.

2. Due to financial indiscipline, the loan accounts have been classified as NPA on 31.05.2019 leading to the issuance of a demand notice dated 25.09.2019 under Section 13(2) of the SARFAESI Act, 2002 recalling the aggregate outstanding liabilities in

all the aforesaid accounts to the tune of Rs.27,77,951/- due as on 25.09.2019 with further interest and incidental expenses etc.

3. At the time of hearing realizing that a challenge to the simplicitor demand notice is not maintainable, learned counsel for the Petitioners prays for permission to withdraw the Writ Petition.

4. In view of the above, the Writ Petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

17th November, 2022
Cuttack

