

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21202 of 2022

Nirmal Kumar Das

....

Petitioner

Mr. Sanjaya Kumar Das, Advocate

-versus-

***Ujjivan Small Finance Bank,
Saheed Nagar, BBSR &
another***

....

Opp.parties

None

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

ORDER (Oral)

01.11.2022

Order No.

1. This matter is taken up through hybrid mode.

1. The petitioner is a defaulting borrower of loan for a sum of Rs.15.00 lakhs availed from Ujjivan Small Finance Bank Limited, non-banking finance company. The loan account was classified as NPA on 4th February,2021 for default in payment of instalments leading to issuance of a demand notice dated 17.11.2021 recalling the outstanding liabilities of Rs.17,47,022/-. The symbolic possession of the secured asset is stated to have been assumed vide notice dated 20th May,2022 issued under Section 13(4) of the SARFAESI Act,2022.

2. In the instant petition, it is the aforesaid notice dated 20th May,2022 (Annexure-4) assuming the symbolic possession, which has been challenged.

3. At the outset, learned counsel for the petitioner prays for permission to withdraw the present petition in view of the subsequent writ petition challenging the same filed by the petitioner.

4. The writ petition is dismissed as withdrawn.

**(Jaswant Singh)
Judge**

**(M.S. Sahoo)
Judge**

November 1st 2022
Cuttack

Gs/Radha

