

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23245 of 2022

Bijaylaxmi Mohanty

.... Petitioner

Mr. Asish Mishra, Advocate

-versus-

***Chief Manager, UCO Bank,
Brajarajnagar Branch,
Brajarajnagar, District-
Jharsuguda & Others***

.... Opp. Parties

Mr. Bhagaban Guin, Advocate for the Bank

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

**ORDER (Oral)
15.12.2022**

(Hybrid Mode)

Order No.

- 04.** 1. Petitioner-Bijaylaxmi Mohanty stood as a guarantor by mortgaging her residential house at Bhubaneswar, for a Cash Credit facility to the limit of Rs.75 Lakhs availed by M/s. Babuli Kumar Sishu from UCO Bank, Brajarajnagar Branch, District-Jharsuguda on 15th October, 2007. Due to financial indiscipline, the loan account was classified as NPA on 28th February, 2018 leading to issuance of a Demand Notice dated 17th September, 2018 under Section 13(2) of the SARFAESI Act, 2002 (for short, “the Act, 2002) recalling the total outstanding liability of Rs.65,71,866.73/- as on 28th February, 2018 plus further interest and incidental charges.

2. The prayer in the present Writ Petition is for quashing the Sale Notice dated 16th July, 2022 (Annexure-1), whereby three of the mortgaged properties in the loan account of the borrower including the property of the petitioner have been put to auction sale on 22nd August, 2022.

3. At the time of hearing, learned counsel for the petitioner concedes that the present Writ Petition has become infructuous in view of the order passed today in its connected matter i.e. W.P.(C) No.19984 of 2022, which filed by the borrower.

4. In view of the above, the present Writ Petition stands dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge