

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23487 of 2022

Sk. Mamataj

....

Petitioner

Mr. Bijaya Kumar Behera-1, Advocate

-versus-

**The Authorized Officer,
State Bank of India,
RASMEC, First Floor,
Berhampur, Main Branch,
Berhampur, District-Ganjam
& Another**

....

Opp. Parties

Mr. Manoj Kumar Mohapatra-1,
Advocate for the Bank

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

ORDER (Oral)

29.11.2022

(Hybrid Mode)

Order No.

- 04.** 1. Petitioner is a defaulting borrower in a House Building loan of Rs.4,30,000/- and a Term Loan of Rs.10,00,000/- availed from the State Bank of India, Station Road Branch, Berhampur, in the year 2013 and in the year 2015 and is facing recovery process under the SARFAESI Act, 2002 on account of both the accounts having been declared NPA on 31.12.2019 for non-deposit of the installments.

The prayer in the present writ petition is for quashing the notice dated 28.02.2022 whereby symbolic possession of the mortgaged property has been assumed.

- 2.** At the time of hearing, learned counsel for the Bank states that a fresh circular dated 14.10.2022

providing a special OTS Scheme (RINN SAMADHAN) 2022-23 has now been floated and the petitioner can very well apply for the settlement under the said Scheme.

3. At this stage, learned counsel for the petitioner prays for permission to withdraw the present writ petition to enable the petitioner to seek his remedy under the aforesaid Scheme.

4. In view of the above, the writ petition is dismissed as withdrawn with the aforesaid liberty.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

29th November, 2022
Cuttack

