

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30907 of 2021

Yudhisthir Samal and others* *Petitioners

Mr. T.K.J. Samanta, Advocate

-versus-

Chief Manager-cum-Authorized* *Opposite Parties

Officer, State Bank of India,

Madhupatna, Cuttack and another

None

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. RAMAN

ORDER (Oral)

19.04.2022

Order No.

01.

1. This matter is taken up through virtual/physical mode.
2. The three brothers-Petitioners had availed a housing loan of Rs.20.00 lakhs on 2nd January, 2012 from the State Bank of Hyderabad, Paradeep Branch, Paradeep (now merged with State Bank of India). The loan amount was to be repaid in 180 equated installments @ Rs.25,531/- per month. Due to financial indiscipline, the loan account was declared NPA leading to the issuance of demand notice dated 13th February, 2018 under Section 13(2) of the SARFAESI Act, 2002 (for short, 'Act, 2002') and symbolic possession notice dated 31st July, 2018 under Section 13(4) of Act, 2002 and subsequently, the sale notice dated 19th September, 2021 putting the mortgaged residential house for auction sale on 25th October, 2021 for recovery of the outstanding liability of around Rs.30.00 lakhs.
3. The present writ petition has been filed challenging the aforesaid sale notice dated 19th September, 2021.

4. At the time of hearing, counsel for the Petitioners states that the auction sale fixed for 25th October, 2021 had failed for want of any intending bidders. Hence, the present writ petition has become infructuous.

5. Accordingly, this writ is dismissed as infructuous.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Jyostna

April 19th, 2022
Cuttack

