

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27181 of 2022

Parshuram Prusty

.... Petitioner

Mr. Piyush Kumar Mishra, Advocate

-versus-

State of Orissa & Others

.... Opp. Parties

Mr. P. K. Mohanty, ASC
(for Opposite Party No.1)

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

ORDER (Oral)

17.11.2022

Order No.

(Hybrid Mode)

- 01.** **1.** Petitioner is a defaulting borrower in a Housing Loan for a sum of Rs.5.4 Lakhs availed on 9th May, 2015 from State Bank of India, Bhuban Branch, District-Dhenkanal. Due to non-payment of instalments, the loan account was classified as NPA on 9th May, 2017. A Demand Notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 7th January, 2022 recalling an outstanding liability for a sum of Rs.5,62,771/- due as on 7th January, 2022 along with further interest and incidental expenses etc. The symbolic possession of the mortgaged house was assumed on 9th March, 2022.
- 2.** The challenge in the instant Writ Petition is laid to the aforesaid symbolic possession Notice and also for a direction to settle the account under the prevailing OTS.

3. At the time of hearing, learned counsel for the petitioner states upon instructions, that the Bank has granted the benefit of One Time Settlement (OTS) whereby the petitioner is required to deposit a total sum of Rs.3 lakhs by 31st December, 2022, and thereby rendering the present Writ Petition infructuous.

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



**(Jaswant Singh)
Judge**

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

Sipun

17th November, 2022,
cuttack