

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 32802 of 2021

Goutam Behura

.... ***Petitioner***
Mr. K.K. Sahoo, Advocate

-versus-

***Odisha Gramya Bank,
Gandamunda, Khandagiri,
Bhubaneswar & Others***

.... ***Opposite Parties***

Mr. Tuna Sahu, Advocate for
Bank

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
05.05.2022

Order No.

- 03.** 1. This matter is taken up by virtual/physical mode.
2. The term loan of Rs.10.00 lakhs availed by the Petitioner on 11th June, 2009 was declared as NPA on 21st March, 2021 due to non-payment of the due installments. A demand notice U/s 13(2) of the SARFAESI Act, 2002 was issued on 19th April, 2021 and symbolic possession U/s 13(4) of the Act is assumed on 23rd February, 2022 of the secured asset.
3. On 15th March, 2022 when the matter was taken up during the course of hearing it was conceded that as on that date the total amount stood due at Rs.9.00 lakhs. On the adjourned date i.e., 5th April, 2022 it was submitted by the counsel for the Petitioner that his client was prepared to deposit a sum of Rs.4,60,000/- by 30th

April, 2022 and would clear the remaining balance by 31st July, 2022.

4. Accordingly, the Petitioner was required to deposit Rs.4,60,000/- by 30th April, 2022 and was directed to file an undertaking to clear up the remaining balance by 31st July, 2022.

5. At the resumed hearing today, the counsel for the Bank furnished a photocopy of E-mail received from the Bank which shows that the Petitioner has complied with direction vide order dated 5th April, 2022 of this Court by making deposit of Rs.4,60,000/- on 25th April, 2022 in his loan account bearing No.011303750900007. It is also admitted by the Bank that the Petitioner had given an undertaking to clear up the remaining balance, i.e., Rs.4,61,036/- including interest and other charges by 31st July, 2022.

6. In light of the undertaking, learned counsel for the Petitioner prays for disposing of the writ petition, to which counsel for the Bank has no objection.

7. In such view of the matter, the writ petition is disposed of in terms of the undertaking furnished by the Petitioner.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge