

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33552 of 2020

Bibinarani Sahoo & Others* *Petitioners

Mr. Trilochan Panigrahi, Advocate

-versus-

***Branch Manager, I.D.B.I.
Bank Ltd., Puri, District-Puri
& Others***

.... ***Opp. Parties***

Mr. B.N. Udgata, Advocate for the Bank

CORAM:

JUSTICE JASWANT SINGH

JUSTICE M.S. SAHOO

ORDER (Oral)

08.12.2022

(Hybrid Mode)

Order No.

- 03.** 1. The petitioners are the defaulting borrowers in two loans and by filing the present writ petition are seeking a direction to the Bank for settling the decretal amount awarded by the DRT under an One Time Settlement Scheme.
2. The brief facts of the case are that the petitioners availed a Term Loan of Rs.24,50,000/- and a Cash Credit limit of Rs.24,50,000/- for Duck Farming on 22.07.2015 from the IDBI Bank Ltd., Puri. Due to financial indiscipline, the loan accounts were classified as NPA on 30.05.2017 and the Opposite Party/Bank filed an Original Application bearing O.A. No.31 of 2018 before the DRT, Cuttack on 30.12.2017 for realization of Rs.48,58,733/-. The Original Application was allowed on 26.09.2019 and the petitioners were directed to pay the sum of Rs.48,58,733/- along with *pendente lite*, future

interest and cost in pursuance to the Recovery Certificate. Consequently, a Demand Notice under Section 29 of the Recovery of Debts due to Banks & Financial Institutions Act, 1993 vide R.P. No.88/2020/CTC dated 03.11.2020 was issued to the petitioners for recovery of Rs.48,58,733.00 + Rs.1,43,908.00 + 8,46,619.65 totaling of Rs.58,49,260.65 as on 26.09.2019.

3. At the time of hearing, Mr. Udgata has placed on record a Memo dated 16.10.2022 issued to the petitioners showing that they are eligible for One Time Settlement of dues under a newly floated OTS Scheme, namely, Amrit Mahotsav Rinn Bhugtan Yojana. He further submits that the petitioners have not yet responded to the said sanction letter.

4. In view of the prayer made and the aforesaid sanction letter already issued by the Bank, in our considered opinion, nothing more survives for adjudication. The petitioners should at once do the needful in terms of the aforesaid sanction letter dated 16.10.2022.

5. The writ petition is disposed of with the above observation.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge