

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.28251 of 2022

Laxmidhar Sahoo

.....

Petitioner

Mr. A.K. Pradhan, Advocate

Vs.

***Authorized Officer-cum-Chief
Manager, Bank of Baroda***

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

21.12.2022

Order No.

1

This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Pradhan, learned counsel appearing for the petitioner.

3. The petitioner has filed this writ petition seeking to quash the notification dated 20.09.2022 under Annexure-3.

4. Mr. A.K. Pradhan, learned counsel appearing for the petitioner contended that the petitioner availed a loan and could not pay the amount as per schedule. Thereby, he has been issued notice under Annexure-3 dated 20.09.2022 as per Rule 6(2) and Rule 8(6) of the Security Interest (Enforcement) Rules, 2002 of the Securitization and Reconstruction of financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act, 2002).

5. The petitioner is liable to pay the loan amount and, as such, for non-payment of the amount, his account has been declared NPA. Since appeal lies against the said order, this Court is not inclined to entertain this writ petition. However, liberty is granted to the petitioner to pursue his remedy before the appropriate forum.

He is also permitted to file an application for interim protection so that the authority can consider the same and pass appropriate order in accordance with law.

6. With the above observation and direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok

(B. P. SATAPATHY)
JUDGE

