

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34103 of 2021

Tuna Dalai

....

Petitioner

Mr. Biyotkesh Mohanty, Advocate

-versus-

**Authorised Officer, Utkal
Grameen Bank, Regional
Office, Berhampur &
another**

....

Opposite Parties

Mr. Ashutosh Panda, Advocate for the Bank

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

**ORDER (Oral)
04.02.2022**

Order No.

- 01.** 1. This matter is taken up through Virtual Mode.
2. The petitioner is the borrower who had been extended Cash Credit facility to the tune of Rs.1,50,000/- for his business on 26.09.2007 by the Utkal Grameen Bank, Sikiri Branch, Berhampur Region, in the district of Ganjam. Due to financial indiscipline, the loan account was declared NPA on 25.03.2010. However, a Demand Notice under Section 13 (2) of the SARFAESI Act, 2002 recalling the outstanding liability of Rs.5,26,996/- was issued on 06.04.2021 which is under challenge before this Court in the instant writ petition.

3. At the time of hearing, learned counsel for the petitioner realizing that the writ petition challenging the aforesaid Demand Notice would not be maintainable, prays for permission to withdraw the writ petition.

4. The writ petition is accordingly dismissed as withdrawn.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

February 4th, 2022
Cuttack

AKK