

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34170 of 2021

**Pratap Chandra
Samantaray**

.... **Petitioner**

Mr. Rohit Mahato, Advocate

-versus-

**Chief Manager, Punjab
National Bank (OBC),
Balasore and another**

.... **Opp. Parties**

*Mr. Tuna Sahu,
Advocate for the Bank*

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

**ORDER (ORAL)
25.04.2022**

Order No.

- 03.** 1. This matter is taken up by virtual/physical mode.
2. The Petitioner has availed a Cash Credit loan for a sum of ₹65 lakhs and a Term Loan for a sum of ₹10 lakhs in the year 2009 from Oriental Bank of Commerce, Jajpur Road Branch, District-Jajpur (now Punjab National Bank). Due to financial indiscipline, the loan accounts were declared NPA on 31.03.2021. A demand notice under Section 13(2) of the SARFAESI Act, 2002 was issued on 04.08.2021 recalling the outstanding liability of ₹75,15,030.00 due as on 30.04.2021. The symbolic possession of the two mortgaged properties was assumed on 26.10.2021.

3. By filing the present writ petition, challenge has been laid to the demand notice as well as the notice assuming symbolic possession.

4. Learned counsel for the Bank states that no basis much less any legal grounds have been raised to challenge the aforesaid two notices.

5. At the time of hearing, learned counsel for the Petitioner prays for unconditional withdrawal of the writ petition.

6. In view of the above, the writ petition is dismissed as withdrawn.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

April 25th 2022
Cuttack

AKPradhan