

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.37920 of 2021

Manoj Kumar Sahu

.... Petitioner

Mr. Sanjib Kumar Rath, Advocate

-versus-

***Branch Manager, State
Bank of India, Karlamunda
Branch, Kalahandi &
Another***

.... Opp. Parties

None

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

**ORDER (Oral)
11.11.2022**

Order No.

02.

This matter is taken up through hybrid arrangement.

1. The petitioner is the proprietor of M/s. Manoj Daily Needs, which had availed a Cash Credit facility from the State Bank of India, Karlamunda Branch, Kalahandi in the year 2015. Due to financial indiscipline, the said loan account was classified as NPA on 28th May, 2018 leading to the issuance of a Demand Notice dated 26th August, 2021 under Section 13(2) of the SARFAESI Act, 2002 (for short, “the Act, 2002”) recalling the outstanding liability of Rs.13,81,119/- due as on 11th August, 2021.

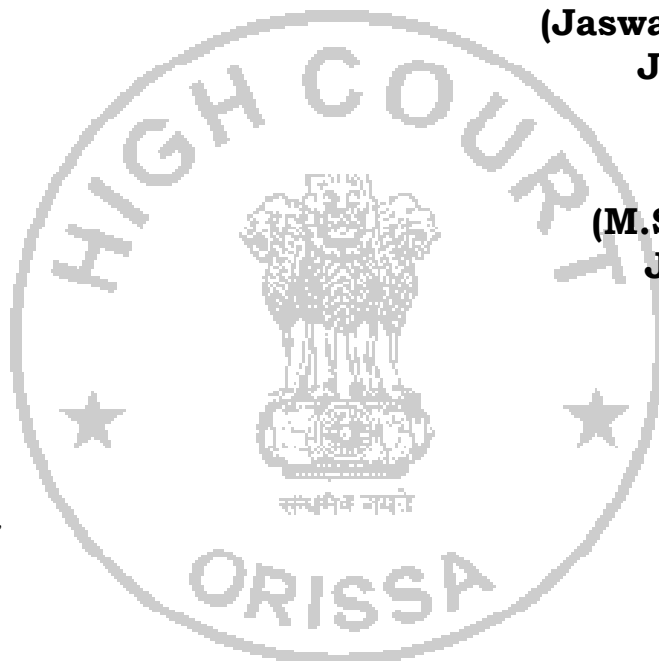
2. It is the aforesaid Demand Notice issued under Section 13(2) of the Act, 2002 which has been challenged in the instant Writ Petition, with the further prayer for allowing the petitioner to pay the outstanding instalments.

3. At the time of hearing, learned counsel for the petitioner realizing that mere issuance of a Demand Notice creates no right for the defaulting borrower to challenge the same, more so, when no objections have been filed to the said Demand Notice and prays for permission to withdraw the present Writ Petition.

4. In view of the above, the Writ Petition stands dismissed as withdrawn.

**(Jaswant Singh)
Judge**

**(M.S. Sahoo)
Judge**



Sipun

11th November, 2022,
cuttack