

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.39212 of 2021**

**Anita Rani Nayak**

....

***Petitioner***

Mr. Alok Kumar Das, Advocate

*-versus-*

***Authorized Officer, Syndicate  
Bank, Bhubaneswar***

....

***Opp. Party***

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

**CORAM:**

**JUSTICE JASWANT SINGH**

**JUSTICE M.S. RAMAN**

**ORDER (Oral)**

**23.02.2022**

**Order No.**

- 02.**
- 1.** This matter is taken up through virtual/physical mode.
  - 2.** The petitioner is a defaulter of a housing loan availed for a sum of Rs.16 lakhs from the Syndicate Bank, since April, 2011. The loan account was classified as NPA on 25<sup>th</sup> of July, 2018 leading to issuance of a demand notice and a notice of symbolic possession.
  - 3.** The present writ petition has been filed assailing the notice dated 7<sup>th</sup> of September, 2021 issued under sub-Section (4) of Section 13 of the SARFAESI Act, 2002.
  - 4.** Mr. Udgata, learned counsel for the Bank submits that the aforesaid notice already stands challenged by the petitioner by filing Securitization Application No.46 of 2019 before the Debts Recovery Tribunal, Cuttack which is stated to be pending. He submits that the outstanding loan as on today is around Rs.15,50,000/-. He further

states that the Presiding Officer in the light of the notification is due to assume office of the DRT, Cuttack very soon.

**5.** In view of the aforesaid, learned counsel for the petitioner prays for permission to withdraw the present writ petition to pursue the already filed Securitization Application before the DRT.

**6.** The writ petition is accordingly disposed of as withdrawn.

**(Jaswant Singh)**  
**Judge**

**(M.S. Raman)**  
**Judge**

February 23<sup>rd</sup>, 2022  
Cuttack

Basudev

