



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5778 of 2026

Asit Kumar Bhanja

....

Petitioner

Mr. R.K. Rout, Advocate

-Versus-

**Chief Manager-cum-Authorized
Officer, State Bank of India,
Kandhamal**

....

Opposite Parties

Ms. Mamta Tripathy, Advocate for Bank

CORAM:

**JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH**

ORDER

23.02.2026

**Order No.
01.**

W.P.(C) No.5778 of 2026 and I.A. No.3539 of 2026

Petitioner, a MSME Borrower, is grieving before the Writ Court against coercive loan recovery by way of, now intended, taking of possession of the security property. Counsel for the Petitioner submits that loan is of the year 2017; interest is at the rate of Rs.10.45 per annum; account was declared NPA on 05.03.2021; Section 13(2) notice was issued on 09.08. 2024 for an outstanding loan of Rs.12,03,797/-. He also tells that his client has paid more than Rs.8.5 lakh and that the remained is roughly a little less than Rs.5 lakh. He highlights the account statement, a copy whereof avails at Annexure-8.

2. Learned Panel Counsel for the OPs opposes the petition contending that the outstanding is much more than what is asserted by Petitioner's counsel and that she would come up with



all credentials and figures, if a reasonable time is granted. This sounds to be fair. However, till the Bank comes back with a counsel, the Petitioner need not have the threat of losing possession of the subject property, since he has already shown *bona fide* albeit with some arguable lacunae.

In the above circumstances, the OPs are restrained from processing further recovery action by way of taking possession or otherwise of the subject property, if Petitioner pays to the subject loan account Rs.5,00,000/- within two weeks as under:

Rs.2,50,000/- within one week and the like sum within one week next following, failing which petition runs the risk of dismissal.

Ordered accordingly by way of interim protection and I.A. is disposed off.

Call this matter after two weeks.

Web copy of order to be acted upon by all concerned.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge