(2022) 05 OHC CK 0015

In the Orissa High Court

Case No : Writ Petition (C) No. 9845 Of 2022

Mateena Mart Pvt. Ltd — APPELLANT

Vs

BM, Union Bank of India — RESPONDENT

Date of Decision : 04-05-2022

Acts Referred:

Citation : (2022) 05 OHC CK 0015

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : K.M.H.Niamati, R.R. Sahoo, B.C.Panda

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Niamati, learned advocate appears on behalf of petitioner. He had moved the petition on 25th April, 2022, when, inter alia, following was said in order made.

"1. Mr. Niamati, learned advocate appears on behalf of petitioner and submits, his client is successive purchaser of the property. Earlier the property stood mortgaged with Andhra Bank. The account was settled in higher value with one time settlement (OTS) scheme on 14th February, 2020 and by certificate dated 17th February, 2020, said bank certified that there is no liability/dues pending on said loan account against the party.

2. Drawing attention to communication dated 16th April, 2022 from Union Bank of India, into which Andhra Bank stood merged, he submits, the banker has talked about difficulties in locating the account. In the meantime the property continues to be shown as mortgaged.

3. Mr. Sahoo, learned advocate appears on behalf of the bank and prays for adjournment to obtain instruction and submit."

2. Mr. Sahoo submits, by reason of merger, whereby Andhra Bank became part of Union Bank of India, documents regarding the account are not being located. He has instructions to submit, petitioner

should approach concerned branch with petitioner's documents and there will be action taken. Mr. Niamati submits, all documents have already been submitted to the branch, including 'No Dues' certificated issued to the borrower.

3. Petitioner will approach the concerned branch with this order and relevant documents, particularly the 'No Dues' certificate. Within two weeks of communication, the bank is to take action of uploading information regarding the mortgage as having been redeemed, failing which they must within that time, inform the petitioner as to why same cannot be done.

4. The writ petition is disposed of.

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