
(2022) 08 OHC CK 0067
In the Orissa High Court
Case No : Writ Petition (C) No. 19789 Of 2018

Satish Kumar Sahoo

APPELLANT

Vs

Permanent Lok Adalat (P.U.S.) And Others

RESPONDENT

Date of Decision : 05-08-2022

Acts Referred:

Legal Services Authorities Act, 1987 — Section 22C

Citation : (2022) 08 OHC CK 0067

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : S. K. Sarangi, N.C. Mishra

Final Decision : Dismissed

Judgement

Arindam Sinha, J

1. The writ petition was moved before this Bench on 6th April, 2022. On behalf of petitioner it was submitted that the Permanent Lok Adalat (PLA), without resorting to mechanism for settlement provided under section 22C in Legal Services Authorities Act, 1987, embarked on adjudication.

2. By impugned award the PLA found petitioner was not entitled to reliefs claimed and hence, the case was dismissed. Mr. Mishra, learned advocate appears on behalf of the bank (opposite party no.3), hands up copy of letter dated 3rd August, 2021 and submits, loan account of petitioner stands closed. Text of the letter is reproduced below.

"We have to advise that the captioned loan accounts of M/s Dhabaleswar Rice Mill, Proprietor Shri Satish Kumar Sahoo have been closed on receipt of full amount as per SBI OTS-2020-21 scheme approved by the Bank. We have no dues to be recovered against the captioned account.

2. However, this certificate does not preclude the Bank to proceed against the borrower/guarantor as the case may be in respect of other loan liabilities if any."

3. None appears on behalf of petitioner. It appears from impugned award, petitioner had also claimed against the insurance company, apart from its claim against the bank. Mr. Sarangi, learned senior advocate appears on its behalf.

4. In the circumstances, there will be adjournment as opportunity to petitioner for prosecuting the writ petition, failing which on adjourned date or thereafter, it is likely to be dismissed.

5. List on 22nd August, 2022.

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