

Court No. - 3

Case :- WRIT - C No. - 22900 of 2023

Petitioner :- Shivam Tiwari

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Laxmi Kant Shukla

Counsel for Respondent :- CSC,Ramesh Kumar Shukla

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

1. Present petition has been filed praying for a direction to respondent No.3 to release the vehicle of the petitioner bearing Registration No.UP70JT 9589.

2. Learned counsel for the petitioner states that the petitioner is ready and willing to pay the amount, which is due to him as on today, in three equal monthly installments.

3. Sri Ramesh Kumar Shukla, learned counsel for respondent No.3 agrees that if the petitioner deposits loan amount, which is due as on today i.e. Rs.4,91,459/- in three equal monthly installments and continues to pay thereafter, the loan account shall be regularised and rescheduled. He further states that the vehicle in question will be released only after the petitioner pays first installment.

4. Under such circumstances, we direct that the aforesaid amount shall be accepted by the Bank in three equal monthly installments and when the first installment is paid, the vehicle shall be released in favour of the petitioner and thereafter the Bank shall regularise and reschedule the loan. For a period of one month from today, the vehicle which has been towed away by the Bank, shall not be sold and not any third party right shall be created. It may be mentioned that if the petitioner defaults in paying any of three installments, this order shall stand automatically vacated.

5. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 28.11.2023

Kuldeep

(Shekhar B. Saraf,J.)

(Siddhartha Varma,J.)