

**Court No. - 6**

**Case :-** WRIT - C No. - 34837 of 2023

**Petitioner :-** Shriram Transport Finance Company Limited

**Respondent :-** Union Of India And 8 Others

**Counsel for Petitioner :-** Ekansh Varma, Vishnu Kumar Srivastava

**Counsel for Respondent :-** A.S.G.I., Vivek Kumar Singh

**Hon'ble Salil Kumar Rai, J.**

Heard the counsel for the petitioner and Shri Vivek Kumar Singh, the counsel for respondent no. 1.

The present petition has been filed challenging the orders passed by the Consumer Forums allowing the claim of the opposite parties on the ground that the petitioner is a finance company and took possession of the vehicle for which allegedly loan was given and was due on the opposite parties without any notice to the opposite parties. The possession was taken on 01.06.2010 while notices were issued on 04.06.2010 and the vehicle was sold on 13.06.2010 without giving any opportunity to the opposite parties to participate in the auction. There was no demand of any installment and, therefore, taking possession was also illegal.

A reading of the orders passed by the State Consumer Forum and the District Consumer Forum clearly indicates that the finding regarding service of notice has been recorded by the concerned forum after considering the relevant records and it has been stated that there was no document on record to show that the notice was received by the opposite parties on time. The State Consumer Forum has also recorded the fact that the vehicle had been seized and confiscated in haste.

The findings recorded by the Consumer Forums are concurrent findings of facts recorded after considering the evidence on record and there is no perversity in the findings.

I do not find any illegality in the orders dated 09.12.2015, 01.03.2023 and 23.06.2023 passed by the District Consumer Disputes Redressal Commission, State Consumer Disputes Redressal Commission and National Consumer Disputes Redressal Commission so as to occasion interference by this Court under Article 226 of the Constitution of India against the concurrent findings of the courts below.

The petition is ***dismissed***.

**Order Date :-** 8.12.2023

Vipasha