

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No.485 of 2020

- Mohamad Aslam Khan S/o Late Mohamamd Yusuf Aged About 45 Years
Occupation- Businessman, R/o Ward No/5, Pendra Roda Gorela, P.S.
Gorela, Pendra, Marvahi Chhattisgarh

---- Applicant

Versus

1. Veerendra Kumar S/o Shri B.K. Kumar Aged About 40 Years R/o Hall
Mukam Pendra Roda Gorela, Ps Gorela, Pendra, Distt. Gorela Pendra
Marvahi, Chhattisgarh
2. Branch Manager Mahindra And Mahindra Financial Service Limited,
Ground Floor, Jaiswal Comlwex, Gurukul Vidhalay Ke Pass, Semara,
Pendra Road, District Gorela Pendra Marvahi, Chhattisgarh
3. Manager Mahindra And Mahindra Financial Service Limited, Office
Sector- C- Plot 54/A, Sirgitti, Bilaspur, Chhattisgarh

---- Non-applicants

For Applicant

– Mr. Prakash Mishra on behalf of Mr.
Sourabh Sharma

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-12-2020

1. Heard on petition.
2. This petition has been brought being aggrieved by the order dated
12.11.2020 passed by the trial Court by which the application under
Order 39 Rule 3 of C.P.C. was dismissed.
3. Learned counsel for the petitioner submits that there had been, an
urgency on the part of the petition as the respondents are intent of
taking possession of the vehicle of which the petitioner is a rightful
owner. There is a dispute regarding the payment of the balance loan

amount, hence, the petitioner had entitlement for ad-interim relief.

4. After considering on the submissions, the petition is disposed off at motion stage. The learned trial Court is directed to expedite the proceeding and dispose off the application under Order 39 Rule 3 of C.P.C. within a period of one month. It is also ordered that the status-quo be maintained for a period of one month only from the date of passing of this order. this order of status-quo shall become ineffective after the expiry of one month.
5. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika