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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4818/2020

DINESH CHAND

... Petitioner

Through

Mr.Ganesh Sharma, Adv.

versus

UNION OF INDIA & ORS

... Respondent

Through

Mr.Ajay Diggpaul, CGSC with
Mr.Kamal R. Diggpaul, Adv. for UOI.
Mr.A.K. Srivastava, Adv. for R-4/
Kotak Mahindra Prime Ltd.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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05.08.2020

This hearing is conducted through video conferencing.

1. This writ petition is filed seeking an appropriate direction to respondents No.3 and 4 to enforce the regulatory package announced by RBI in letter and spirit.
2. The case of the petitioner is that he had a loan agreement with respondent No.4/Kotak Mahindra Prime Ltd. for availing a car loan of Rs.5,73,000/- for purchase of a car.
3. On 27.03.2020, respondent No. 2 issued a circular which contains the details of instructions regarding regulatory package permitting lending institutions to grant a moratorium of three months on term loans and credit facilities.
4. The petitioner is said to have availed the moratorium for the months of May and June 2020.
5. The said moratorium period was extended by respondent No.2 on 23.05.2020 till August 2020.

6. The grievance of the petitioner is that the petitioner applied on the web portal of respondent No.4 for availing of the moratorium. However, respondent No.4 is said to have deducted the EMI for the month of June from the bank account of the petitioner. Some other charges have also been deducted.

7. Learned counsel for respondent No.4 has entered appearance and very fairly states that he has instructions to state that respondent No.4 will abide by the circular of respondent No.2 and will give the moratorium to the petitioner till the stated period, namely, August, 2020. Any instalments that have been deducted during the moratorium period including any other charges would be refunded to the petitioner. Further, no penal charges will be levied on the petitioner for the moratorium period. No report shall also be filed to CIBIL.

8. Binding respondent No.4 to the above submissions made, nothing further survives in this petition. Petition is disposed of on the terms of the above submissions.

JAYANT NATH, J.

AUGUST 05, 2020/st