

05.07.2022
SL No.27
Court No.8
(gc)

**FMA 995 of 2009
With
CAN 1 of 1998
(Old No: CAN 7759 of 1998)**

**Sitadevi K. Chauba & Ors.
Vs.
B.C.L. Financial Services Ltd.
(Through Video Conference)**

This matter appeared in the warning list on 29th June, 2022 and continued to appear in the list until it was transferred to the daily cause list today.

The appellants are not represented, nor any accommodation is prayed for on their behalf.

The appeal is arising out of an order by which the learned Trial Court directed seizure of the vehicle as there was a clear apprehension that the hirer might dispose of the said vehicle without payment of hire charges and EMIs. The learned Trial Judge was satisfied that there is a imminent danger that the vehicle may be transferred to a third party without payment of instalment amounts.

Under such circumstances, we do not find any reason to interfere with the interim order passed by the learned Trial Judge.

The appeal was preferred in the year 1998 and by this time, the application must have been disposed of on merits.

In any event we do not find any reason to interfere with the order passed by the learned Trial Judge.

Accordingly, the appeal and the connected application stand dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)