

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

**FMAT 281 of 2022
With
CAN 1 of 2022**

**Tata Motors Finance Ltd.
Vs.
Rafik Sekh**

**Mr. Pratip Mukherjee
Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh For the Appellant.**

**Mr. Arun Kumar Maity
Ms. Sumita Sarkar For the Respondent.**

Re: CAN 1 of 2022

The respondent has only deposited Rs.40,000/- (Forty Thousand only) in alleged compliance of our order dated 4th August, 2022 directing him to deposit Rs.50,000/-(Fifty Thousand only) with the appellant.

Learned counsel for the appellant submits that the dues of the respondent towards them towards arrear as of today are around Rs.3,85,000/-. The monthly installment payable is Rs.92,000/-.

Dispensing with all formalities we have taken up the appeal (FMAT 281 of 2022) and the connected application (CAN 1 of 2022) for hearing.

S.D.

We dispose of it by modifying the interim order dated 14th June, 2022 of the learned court below to the extent that the respondent would have to deposit further sums of Rs.50,000/- by 23rd August, 2022, Rs.50,000/-

by 26th August, 2022 and Rs.60,000/- by 2nd September, 2022 with the appellant. The respondent would have to continue to pay the monthly installments as and when they fall due. The appellant shall unconditionally stay their hands only till 23rd August, 2022 to enable the respondent to comply with this order failing which they would be at liberty to take whatever steps available to them in law with regard to the vehicle in question.

The learned court below is requested to hear out the interim application or any other application in connection with this case as early as possible.

This interim order will operate unless and until a further substantive order is passed by the learned court below in T.S. 1263 of 2022 which is before it.

The appeal (FMAT 281 of 2022) and the connected application (CAN 1 of 2022) are disposed of by this order.

All points are kept open before the court below.

(I.P. Mukerji, J.)

(Subhendu Samanta,J.)

