

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.4255 of 2022

Lipika Mohapatra

....

Petitioner

-versus-

R.T.O., Kendrapara & others.

....

Opposite Parties

CORAM:

THE JUSTICE S.PUJAHARI

ORDER

08.04.2022

Order

No.

03.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner and the learned counsel for the Opposite Party Nos.2 and 3-Financier.
3. As it appears, the Petitioner in this case has prayed for a direction to the Finance Company-Opposite Party Nos.2 and 3 to release the vehicle bearing registration number OD-29-G-1068 on payment of 50% of the outstanding amount.
4. From the materials on record, it appears that the aforesaid vehicle was financed by the Financier-Opposite Party Nos.2 and 3. However, due to non-payment of the outstanding amount, the same was repossessed by the Financier-Opposite Party Nos.2 and 3. Now the Petitioner is ready and willing to deposit 50% of the outstanding amount, so also @ 10% of the rest of the 50% amount on every month with regular installment hereinafter and on that condition,

learned counsel for the petitioner submits to release the aforesaid vehicle in favour of the Petitioner.

5. Considering the aforesaid facts and the submissions made, this Court directs that the aforesaid vehicle be released in favour of the Petitioner provided she deposits 50% of the outstanding amount through an account payee bank draft with the Financier-Opposite Party Nos.2 and 3 within fifteen days hence and thereafter undertakes to pay regular installment along with 10% of the rest 50% of the outstanding amount, every month hereinafter.

6. Needless to say that failure on the part of the Petitioner to comply with the aforesaid direction of this Court after release shall entail repossession of the vehicle by the Financier-Opposite Party Nos.2 and 3 in the manner known to law. The Petitioner shall also make the vehicle available for inspection of the Financier-Opposite Party Nos.2 and 3 as and when required by the Finance Company and keep the vehicle in good running condition. Failure to the aforesaid condition shall expose the Petitioner to the contempt jurisdiction of the Court.

7. With the aforesaid order, this writ petition stands disposed of.

8. Urgent certified copy of this order be granted on proper application.

(S. Pujahari)
Judge