

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5195 of 2022

Hadibandhu Rout

....

Petitioner

-versus-

***Regional Manager, Reserve Bank
of India, Bhubaneswar and another***

....

Opposite Parties

CORAM: JUSTICE S. PUJAHARI

ORDER

12..04.2022

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. This writ petition has been filed by the Petitioner seeking a direction to the Opposite Party No.2-Branch Manager, Tata Motor Finance Ltd., Keonjhar Branch, Keonjhar to act in accordance with the guidelines of Reserve Bank of India as well as Apex Court decisions and also direct the Opposite Party No.2 to produce the account statement before this Court, so also direct the Opposite Party No.2 not to seize his vehicle bearing Registration No.OD-09-N-3684 (Truck).
3. Heard Mr. Braja Mohan Sarangi, learned counsel appearing for the Petitioner and Mr. R.C. Panigrahi, learned counsel appearing for the Opposite Party No.2-Financer.
4. It appears that the Petitioner has already deposits 50% of the outstanding dues as directed by this Court vide order dated 28th February, 2022.
5. Learned counsel for the Opposite Party No.2-Financer, however, submits that besides rest 50%, two more regular installments

are due in the meanwhile and the entire outstanding as on date is Rs.4,68,561/-.

6. Learned counsel for the Petitioner submits that the Petitioner is now ready and willing to pay the aforesaid amount in five equal monthly installments along with the regular installment.

7. Considering the facts and submissions made, this Court directs if the Petitioner will pay the 20% of the aforesaid outstanding amount within the time stipulated with regular installment, the Opposite Party No.2-Financer shall not repossess the aforesaid vehicle. Needles to say that in case of default, the Opposite Party No.2-Financer has right to repossession of the vehicle in question in accordance with law. The vehicle also be made available for inspection of the Opposite Party No.2-Financer as and when required and kept in good running condition, violation of the same shall expose the Petitioner to the contempt jurisdiction of the Court.

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

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

(S. Pujahari)
Judge

DA