

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6002 of 2022

Sunakar Behera ***Petitioner***

-versus-

Regional Manager, Reserve Bank of India, Bhubaneswar and others ***Opposite Parties***

W.P.(C) No.6172 of 2022

Sunakar Behera ***Petitioner***

-versus-

Regional Manager, Reserve Bank of India, Bhubaneswar and others ***Opposite Party***

CORAM: JUSTICE S. PUJAHARI

ORDER

08.04.2022

Order

No.

01.

1. Both the writ petitions being at the instance of same Petitioner and also being interlinked, are taken up together through hybrid mode for hearing and disposed of by this common order on consent of the parties at the stage of admission.

2. It appears that the Petitioner has been financed with vehicles bearing Registration Nos.OD-29-H-7766 and OD-29-F-7319 respectively, which are subject matter of the

aforesaid writ petitions. However, the amount outstanding in both the cases is Rs.5,27,906/- till February, 2022, the Petitioner sought for release of the aforesaid vehicles.

3. Learned counsel appearing for the Petitioner in both the cases would submit that the Petitioner is ready and willing to pay 50% of the outstanding amount as on date and would go on paying the remaining amount in six equal installments along with regular installment and, as such, the aforesaid vehicles be released in his favour.

4. Mr. R.C. Panigrahi, learned counsel appearing for the Opposite Party-Financer has no objection to the same, but submits that the Petitioner has also defaulted the payment of the working capital of Rs.11,00,000/- on two counts, he may also be asked to deposit the same.

5. On consideration of the aforesaid facts and submissions made, this Court directs that if the Petitioner would pay 50% of the outstanding amount on or as 31st March, 2022 within one month hence by account payee bank draft in respect of the aforesaid vehicles and also deposit three defaulting installments

in working capital due in both the counts and undertakes to pay rest of the outstanding in six equal installments along with regular installment every month in respect of the vehicles, the aforesaid vehicles be released in his favour subject to the condition that he shall keep the aforesaid vehicles in good condition and also make the same 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 and entitle the Opposite Party No.2-Financer to repossess the vehicles in the manner known to law .

6. With the aforesaid order, both the writ petitions stands disposed of.

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

(S. Pujahari)
Judge

DA