

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7313 of 2022

Umesh Chandra Nayak

....

Petitioner

-versus-

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

....

Opposite Parties

CORAM: JUSTICE S. PUJAHARI

ORDER

18.05.2022

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. On being permitted, learned counsel for the Petitioner corrects the vehicle registration number as “OD-04-N-4099” in the cause title as well as in the contents of the writ petition in Court today.
3. This writ petition has been filed by the Petitioner seeking a direction to the Opposite Party No.2-Branch Manager, Tata Motor Finance Ltd., Bhubaneswar 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-04-N-4099 (Truck).

4. 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.

5. Considering the aforesaid facts and submissions made, this Court directs if the Petitioner would pay the 50% of the outstanding amount as on date within fifteen days hence by account payee bank draft and undertakes to pay rest of the outstanding @ 10% along with regular installment every month, the Opposite Party No.2-Financer shall not repossess the aforesaid vehicle. Needless 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.

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

(S. Pujahari)
Judge

DA