

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.7880 of 2022

Girija Sankar Nayak

....

Petitioner(s)
Mr. G. Muduli,
Advocate

-versus-

***Mahindra and Mahindra Financial
Services Ltd. & Anr.***

....

Opposite Party(s)

CORAM:
JUSTICE BISWANATH RATH
ORDER
07.04.2022

Order No.

01. 1. This matter involves private finance. Following the decisions of the Hon'ble Apex Court rendered in the cases of ***Orix Auto Finance (India) Ltd. Vrs. Jagmander Singh and another***, as reported in (2006) 2 SCC 598, in the case of ***ICICI Bank Ltd. Vrs. Prakash Kaur and others*** as reported in (2007) 2 SCC 711 and in the case of ***Citicrop Maruti Finance Ltd. Vrs. S. Vijayalaxmi***, as reported in (2012) 1 SCC 1, this Court finds no scope for interfering in such matters.
2. However, considering the willingness of the Petitioner to deposit 50% of the outstanding dues as on date, this Court directs, if the Petitioner deposits 50% of the whole outstanding dues and submits an application for re-phasement of the balance amount within a stipulated time, the same amount may be accepted and a lenient decision may be taken for releasing the seized vehicle of the Petitioner in question.

3. It is responsibility of the Petitioner to serve a copy of this order along with a copy of the writ petition on the Opposite Party No.2.
4. With the aforesaid direction the writ petition stands disposed of.

(Biswanath Rath)
Judge

Ayaskanta Jena

