

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.12134 OF 2022

Debipriya Dash

Petitioner

Mr. Aswini Mohanty, Advocate

-versus-

Regional Director, Reserve Bank of India, Bhubaneswar and others ***Opp. Parties***

Mr. Ramachandra Panigrahi, Advocate
(For Opp. Party Nos.2 and 3)

Mr. Pravakar Behera, Standing Counsel
(For Transport Department)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

12.08.2022

Order No.

- 5.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition prays for a direction to the Opposite Parties, more particularly Opposite Party Nos.2 and 3 to take necessary step to settle two loan accounts vide Loan Agreement Nos.5002017100 and 5001802706 corresponding to Loan I.D. No. 2002507477 and release the vehicle bearing Registration No.OD-05-M-8423 and not to take any coercive action against the vehicle bearing Registration No.OD-05-T-7398 by closing the loan accounts.
 3. In order to bring to an end to the litigation, this Court vide order dated 15th July, 2022 directed as under:

“1. This matter is taken up through hybrid mode.

2. Mr. Panigrahi, learned counsel for the Financer submits that there is outstanding amount of Rs.3,38,204/- against the vehicle bearing Registration No.OD-05-M-8423 (TATA Pick UP) and OD-05-T-7398 (TATA Taigo Car).

3. *Mr. Jena, learned counsel for the Petitioner prays for an adjournment to take instruction as to whether the Petitioner can settle the loan account in respect of the vehicle bearing Registration No.OD-O5-M-8423 (TATA Pick Up) and OD-05-T-7398 (TATA TAIGO Car) on payment of Rs.3,38,204/-.*

4. *Put up this matter on 22nd July, 2022, as prayed for.”*

4. Mr. Mohanty, learned counsel for the Petitioner submits that the Petitioner is not agreeable to pay the aforesaid amount to close the loan accounts.

5. Mr. Panigrahi, learned counsel for Opp. Party Nos.2 and 3-Financer referring to the averments made in the writ petition submits that a dispute case under the Consumer Disputes Act in C.D. Case No. 147 of 2021 is pending before the District Consumer Redressal Forum, Cuttack in respect of the vehicle bearing Registration No. OD-05-M-8423. He further submits that the Petitioner had also earlier approached this Court in W.P.(C) No.662 of 2022 in respect of the aforesaid two vehicles. The said writ petition was disposed of on 31st January, 2022 with certain directions for release of the vehicles. But, the Petitioner has not yet complied with the said directions.

6. Mr. Mohanty, learned counsel for the Petitioner, however, disputes the outstanding loan amount as stated by Mr. Panigrahi, learned counsel for Opposite Party Nos.2 and 3-Financer pursuant to which the order dated 15th July, 2022 was passed.

7. In view of the disputed questions of fact and a dispute case in respect of one of the vehicles is pending before the District

Consumer Redressal Forum, Cuttack, I am not inclined to entertain the writ petition. Accordingly, this writ petition stands dismissed.

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

(K.R. Mohapatra)
Judge

bks

