IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.40560 OF 2021

Subasini Rout .... ***Petitioner***

Mr.B.M.Sarangi, Adv.

-versus-

Regional Manager, RBI, BSSR & anr. .... ***Opposite Parties***

Mr.P.Behera, SC

CORAM:
JUSTICE BISWANATH RATH

ORDER
21.1.2022

Order No.	
02.	1. This matter is taken up through video conference.

2. Heard learned counsel for the Parties.

3. 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*** reported in (2006) 2 SCC 598, ***ICCI Bank Ltd. Vrs. Prakash Kaur & others,*** (2007) 2 SCC 711 and ***Citicorp Maruti Finance Ltd. vrs. S.Vijayalaxmi*** reported in (2012) 1 SCC 1, this Court finds no scope for interfering in such matters.

4. However, considering the willingness of the Petitioner to deposit 50% of the outstanding involving defaulted E.M.I. as on date, it will be open to the Petitioner to approach the private financier, O.P.2 along with deposit of 50% of the outstanding involving defaulted E.M.I. as on date, within a period of two weeks, in which event, the private financer, O.P.2 shall do well in taking a

lenient view in the matter of releasing the vehicle bearing Regn. No.OD35D 2993 (Truck) and re-phasing the rest of the outstanding dues with suitable installments.

5. The writ petition stands disposed of with the aforesaid direction.

6. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the Parties may utilize a printout of the order available in the High Court's Website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Biswanath Rath)
Judge