
(2022) 10 OHC CK 0058
In the Orissa High Court
Case No : Writ Petition (C) No.14312 Of 2022

Harihara Padhy

APPELLANT

Vs

BM, Mahindra And Mahindra Financial Services Ltd. And
Another

RESPONDENT

Date of Decision : 14-10-2022

Acts Referred:

Citation : (2022) 10 OHC CK 0058

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Bibekananda Mohapatra, Prabir Kumar Ray

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. The writ petition has been listed under heading 'To be Mentioned' at instance of parties, to effect a working solution arising on default committed by petitioner in paying Equated Monthly Installments (EMI) of Rs.70,590/-. Mr. Mohapatra, learned advocate appears on behalf of petitioner and submits, his client has submitted two demand drafts of aggregate Rs.2.5 lakhs payable to the financier. Drawing attention to para-9 in the counter he submits, as on 7th June, 2022 outstanding on arrear EMIs was Rs.3,52,582/-. There be direction upon the financier to accept said sum of Rs.2.5 lakhs and allow his client to liquidate the arrears in installments. His client will continue to pay current installments falling due.

2. Mr. Ray, learned advocate appears on behalf of the financier (opposite parties) and submits, there be direction for petitioner to deposit minimum of Rs.3.5 lakhs for his client to consider allowing petitioner to liquidate the arrears in installments along with paying current installments falling due.

3. Petitioner will approach the financier by 31st October, 2022 with Rs.3.5 lakhs. In event petitioner does so, the financier will consider allowing liquidation of the

arrears by installments, in addition to petitioner paying current installments falling due.

4. The interim order will continue till 31st October, 2022, after which it will stand automatically vacated. The demand drafts are returned to Mr. Mohapatra.

5. The writ petition is disposed of.

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