

(2022) 06 OHC CK 0125
In the Orissa High Court
Case No : Writ Petition (C) No.14279 Of 2022

Lipsa Mohapatra

APPELLANT

Vs

Branch Manager, SBI, Bhubaneswar And Another

RESPONDENT

Date of Decision : 30-06-2022

Acts Referred:

Citation : (2022) 06 OHC CK 0125

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Braja Mohan Sarangi, Subrat Sarangi

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Braja Mohan Sarangi, learned advocate appears on behalf of petitioner and submits, his client took vehicle loan. Some amount is outstanding. However, the bank cannot sell the vehicle as threatened by notice dated 27th May, 2022 since the vehicle stands registered in name of petitioner. No steps have been taken by the bank to obtain transfer of the vehicle in its name, to entitle it thereafter to sell the vehicle. He relies on view taken by a Division Bench of this Court in judgment dated 22nd November, 2012 passed in WP(C) no.18349 of 2012 (M/s. A. B. Associates v. Srei Equipments Pvt.), relied upon by coordinate Bench in order dated 29th September, 2020 made in WP(C) no.24417 of 2020 (Sushila Moharana v. Regional Manager, Reserve Bank of India and others).

2. Mr. Subrat Sarangi, learned advocate appears on behalf of bank and submits, on service made upon him, he will take instruction and submit.

3. Let service be made in course of day.

4. List on 5th July, 2022.

5. The interim application will be considered on adjourned date.

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