
(2022) 01 OHC CK 0205
In the Orissa High Court
Case No : Writ Petition (Civil) No. 377 Of 2022

Pradipta Hati

APPELLANT

Vs

State Of Odisha & Ors

RESPONDENT

Date of Decision : 27-01-2022

Acts Referred:

Citation : (2022) 01 OHC CK 0205

Hon'ble Judges : Biswanath Rath, J

Bench : Single Bench

Advocate : T. Barik, R.P. Mohapatra

Final Decision : Disposed Of

Judgement

Biswanath Rath, J

- 1.Â Â This matter is taken up by video conferencing mode.
- 2.Â Â This matter involves private finance. Following the decision of the Honâ??ble Apex Court rendered in the case ofO rix Auto Finance (India) Ltd. Vrs. Jagmander Singh and another, (2006) 2 SCC 598, ICICI Bank Ltd. Vrs. Prakash Kaur and other,s (2007) 2 SCC 711 and in the case of Citicorp Maruti Finance Limited Vrs. S. Vijayalaxmi, (2012) 1 SCC 1, this Court finds no scope for interfering in such matters.
3. However, considering the willingness of the petitioner to deposit 50% of the outstanding involving defaulted EMIs, as on date, it will be open to the petitioner to approach the private financier, the opposite party no.4 along with deposit of 50% of the outstanding involving defaulted EMIs, as on date, within a period of three weeks, in such event, the private financier, the opposite party no.4 shall do well in taking a lenient view in the matter for releasing of the vehicle bearing Regd. No.OD-05-AM-9785 and rephrasing the

rest of the outstanding dues with suitable installments.

4. The writ petition stands disposed of with the aforesaid observation and direction.

5. 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 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated

vide memo Nos.514 & 515 dated 7th January, 2022.

.....