

2. 28.06.2019 Heard learned counsel appearing for the petitioner. This matter involves private finance. Following the decision of the Hon'ble Apex Court rendered in the case of **Orix Auto Finance (India) Ltd. Vrs. Jagmander Singh and another**, (2006) 2 SCC 598, **ICICI Bank Ltd. Vrs. Prakash Kaur and others**, (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.

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.2 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.2 shall do well in taking a lenient view in the matter for releasing of the vehicle bearing Regd. No. OR-09-D-7144 and rephrasing the rest of the outstanding dues with suitable installments.

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

Issue urgent certified copy as per rules.

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(Biswanath Rath, J.)

