IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.24975 of 2026
CNR No. ODHC010582352026

Konark Enterprises, Jajpur	**.....**	***Petitioner***
		Represented by Adv. - Amiya Kumar Tarai

-versus-

The Authorized Officer, HDFC Bank Limited, Bhubaneswar and another	**.....**	***Opposite Parties***
		Represented by Adv. -

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER
07.08.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.

2. Heard learned counsel for the Petitioner. Perused the writ application as well as the documents annexed thereto.

3. The Petitioner has filed the present writ application with the following prayer:

> *"The petitioner, therefore pray that, your Lordships may be pleased to consider the facts stated above, admit the writ application, call for the records and after hearing the parties, the opp. party bank may kindly direct to release the hypothecated vehicle of the petitioner repossessed by the opp.party bank by extending 30 days' time to repay the overdue amount in equal installment & to rephasement of the loan*

account or else the petitioner will be seriously prejudiced.

Any other order/orders may kindly be passed as this Hon'ble Court would deem just and proper."

4. Learned counsel for the Petitioner, at the outset, contended that the Petitioner, who is a loanee of the Opposite Parties-Bank, had initially availed a loan to purchase a vehicle. He further contended that the Petitioner was paying the loan regularly till February, 2026. After February, 2026 the Petitioner defaulted in making the payment of the regular monthly installments. As a result of which, the Opposite Parties-Bank has issued a notice dated 01.07.2026 asking the Petitioner to deposit the entire balance amount at one-go. Being aggrieved by such conduct of the Opposite Parties-Bank, the Petitioner has approached this Court by filing the present writ petition.

5. Learned counsel for the Petitioner, at this juncture, contended that the Petitioner is ready and willing to pay the entire overdue amount at once if the Petitioner is permitted to do so by this Court. Thereafter, the Bank be directed to regularize the account with further instruction to permit the Petitioner to deposit the regular EMIs as has been fixed by virtue of the loan agreement.

6. On a careful consideration of the submission made by the learned counsel for the Petitioner, further taking note of the fact that the Petitioner has not approached the Opposite Parties-Bank for repaying the overdue amount and to seek for further rephasement of the loan account, the present writ petition is being disposed of at the

stage of admission by granting liberty to the Petitioner to approach the Opposite Parties-Bank along with a proposal for payment of the overdue amount in one-go as per the direction of the Bank. In the event the Petitioner deposits the overdue amount within a period of four weeks from today, the Opposite Parties-Bank shall do well to refresh the loan account of the Petitioner and the balance monthly installment shall be re-fixed by the Bank. It is further made clear that in the event the Petitioner makes any further default in depositing the EMIs, it will be open to the Bank to proceed against the Petitioner in accordance with law. On depositing the entire overdue amount, the Petitioner shall make an application to the Bank and the Bank shall consider the release of the vehicle in favour of the Petitioner subject to Petitioner paying the entire overdue amount at one-go within the aforesaid time.

7. With the aforesaid observations/directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

S.K. Rout