

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

Cont. Case (C).No. 81 of 2015

[ARISING FROM THE JUDGMENT IN WP(C) 24385/2013 OF HIGH COURT OF
KERALA, DATED 05-11-2013]

PETITIONER(S):-

MR.K.C.MAJEED, AGED 50 YEARS, S/O.LATE AHAMED,
KADAVATH CHERIYAPARAMBIL,
PARIYAPURAM, PACHATRI P.O., TIRUR, MALAPPURAM.

BY ADVS.SRI.P.M.JOSHI
SMT.T.JUSTY MATHEW
SMT.BEENA THOMAS
SMT.SIJI K.PAUL.

RESPONDENT(S):-

1. MR.FIROZ KHAN,
THE GENERAL MANAGER,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFFICE, MALAPPURAM, PIN: 676 505.
2. MR.ABDUL MAJEED,
THE SECRETARY,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.,
TIRUR BRANCH, MALAPPURAM DISTRICT, PIN: 676 101.

R1 & R2 BY ADVOCATE SRI.E.S.M.KABEER.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:-

APPENDIX

PETITIONER'S ANNEXURES:-

- | | |
|-------------|---|
| ANNEXURE A1 | CERTIFIED COPY OF THE JUDGMENT IN WP(C)
NO.24385 OF 2013 DATED 05.11.2013. |
| ANNEXURE A2 | TRUE COPY OF THE NOTICE OF INSPECTION DATED
23/12/2014 ISSUED BY THE ADVOCATE COMMISSION
TO THE PETITIONER. |
| ANNEXURE A3 | TRUE COPY OF THE SAID NOTICE DATED 29.12.14
SENT TO RESPONDENTS. |
| ANNEXURE A4 | TRUE COPY OF POSTAL RECEIPT DATED 29.12.14. |
| ANNEXURE A5 | THE ACKNOWLEDGMENT CARD EVIDENCING THE
ACCEPTANCE OF NOTICE BY 2ND RESPONDENT. |

RESPONDENT'S ANNEXURES:-

----- NIL.

Vku/-

(true copy)

K. Vinod Chandran, J.

Cont. Case (C) No.81 of 2015-S

Dated this the 30th day of January, 2015

JUDGMENT

The petitioner contends that the judgment has not been complied with.

2. In the judgment, there was only a recording of the undertaking of the Bank that, the petitioner would not be proceeded against for recovery of the amounts till Exhibit P1 is considered. It is stated that Exhibit P1 is dated 06.09.2013. The matter was posted on 04.11.2013, when the petitioner did not appear. On 07.11.2013, the brother of the petitioner is said to have appeared before the Bank and submitted that the entire amounts would be remitted before 25.11.2013. The Bank was also ready to grant a waiver of Rs.65,000/- [Rupees sixty five thousand only]. Such order on Exhibit P1 representation was issued on 07.11.2013 and despatched on 18.11.2013.

3. In the above circumstances, no contempt would lie. The petitioner then would contend that no orders were issued to him. The Bank shall communicate the same. The petitioner's remedy to challenge the same is left open.

The contempt case would stand closed.

Sd/-
K. Vinod Chandran,
Judge

vku/

(true copy)