

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

OP.No. 5432 of 2001 (V)

PETITIONER :

INDUSTRIAL INVESTMENT BANK OF INDIA LTD., SPENSOR PLAZA, 7TH FLOOR,
769 ANNA SALAI, CHENNAI-600 002 REPRESENTED BY REMA G KURUP

BY ADVS.SRI.P.SANJAY
SMT.SUJA P.V.

RESPONDENTS :

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1. PREMIER CABLE COMPANY LTD (IN LIQUIDATION) REP. BY THE OFFICIAL
LIQUIDATOR, HIGH COURT OF KERALA, ERNAKULAM
 2. MR.HANUMAN MALL PERIWAL, K-6, HOUZKHAS, NEW DELHI-110016
 3. MRS.DURGA PERIWAL, W/O.H.M.PERIWAL, K-6, HOUZKHAS, NEW DELHI-110016
 4. INDUSTRIAL FINANCE CORPORATION LTD.(IFCI), IFCI BHAVAN, PANAMPILLY
NAGAR, KOCHI - 682 036
 5. INDUSTRIAL DEVELOPMENT BANK OF INDIA, 115 ANNASALAI,
CHENNAI - 600 015
 6. ICICI LTD, 1, CENOTAPH ROAD, CHENNAI - 600018
 7. KERALA STATE INDUSTRIAL DEVELOPMENT CORPORATION UNITED , KISTON
ROAD, KAWDIAR, TRIVANDURM - 695 003
 8. UCO BANK. 10, BRABOURNE ROAD, CALCUTTA - 700 001
 9. BANK OF AMERICA, NEW DELHI BRANCH, 15, BARRKHAUHA ROAD, NEW
DELHI - 110 001
 10. PUNJAB NATIONAL BANK, HEAD OFFICE, 7, BIKAJI CAMA PLACE,
NEW DELHI - 110 066
 11. ORIENTAL BANK OF COMMERCE, 52, HAMIDIA ROAD, BHOPAL - 462 001

R1 BY ADV. SRI.M.K.MUSTAFA KANI RAWTHER
R2,R3 BY ADV. SRI.SATISH MURTI
R4 & R5 BY ADVS. SRI.LELLULAL T.G.THUNDATHIL
SRI.BOBBYMATHEW KOOTHATTUKULAM
R7 BY ADV.SRI.M.PATHROSE MATTHAI (SR.)
R8 BY ADVS. SRI.GEORGE KARITHANAM VARGHESE
SRI.V.J.JOHN
SRI.JOSE KURIAKOSE (VILANGATTIL)
R10 BY ADVS. SRI.R.PARTHASARATHY
SRI.C.SUBRAMANIAN
SRI.P.ANOOP
R11 BY ADV. SRI.N.RAJAGOPALAN NAIR
R BY ADV. SRI.SAJI VARGHESE

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 24-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE BRIDGE LOAN AGREEMENT EXECUTED BETWEEN THE 1ST RESPONDENT DATED 18.10.1984

EXT.P2 : COPY OF THE DEED OF HYPOTHECATION EXECUTED BETWEEN THE 1ST RESPONDENT DATED 18.10.1984

EXT.P3 : COPY OF THE DEED OF GUARANTEE EXECUTED BETWEEN THE 2ND RESPONDENT DATED 18.10.1984

EXT.P4 : COPY OF THE DEMAND PROMISSORY NOTE DATED 18.10.1984

EXT.P5 : COPY OF THE TERM LOAN AGREEMENT EXECUTED BETWEEN THE 1ST RESPONDENT DATED 4.11.1985

EXT.P6 : COPY OF THE HYPOTHECATION DEED EXECUTED BY THE 1ST RESPONDENT DATED 4.11.1985

EXT.P7 : COPY OF THE DEED OF GUARANTEE EXECUTED BETWEEN THE 2ND RESPONDENT DATED 4.11.1985

EXT.P8 : COPY OF THE LOAN AGREEMENT BETWEEN THE 1ST RESPONDENT DATED 4.11.1985

EXT.P9 : COPY OF THE DEED OF HYPOTHECATION EXECUTED BETWEEN THE 1ST RESPONDENT DATED 4.11.1985

EXT.P10 : COPY OF THE DEED OF GUARANTEE EXECUTED BETWEEN THE 2ND RESPONDENT DATED 4.11.1985

EXT.P11 : COPY OF THE LOAN AGREEMENT BETWEEN THE 1ST RESPONDENT DATED 28.6.1988

EXT.P12 : COPY OF THE DEED OF HYPOTHECATION EXECUTED BETWEEN THE 1ST RESPONDENT DATED 28.6.1988

EXT.P13 : COPY OF THE DEED OF GUARANTEE EXECUTED BY THE 2ND RESPONDENT DATED 28.6.1988

EXT.P14 : COPY OF NOTICE ISSUED BY PETITIONER TO THE 1ST RESPONDENT DATED 27.8.1998

EXT.P15 : COPY OF THE REPLY NOTICE DATED 10/11/1998 ADDRESSED TO THE 2ND RESPONDENT

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

K.SURENDRA MOHAN, J.

O.P.No.5432 of 2001

Dated this the 24th day of March, 2015

J U D G M E N T

Though time was granted for curing the defect on 20.03.2015, the defect has not been cured. The learned counsel for the petitioner seeks further time. I notice that, this original petition is of the year 2001. Service is remaining incomplete. If the parties had been interested, they would have taken steps to ensure that service was completed.

In view of the above, this original petition is dismissed.

Sd/-
K.SURENDRA MOHAN, JUDGE.

AV