

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

OP(C) .No. 841 of 2015 (O)

(I.A 198/2015 IN O.S 16/2015 OF THE FIRST ADDITIONAL SUB COURT,
THRISSUR)

PETITIONER/PLAINTIFF:

WEST FOR HI-TECH HOSPITAL LTD.,
GURUVAYOOR ROAD, PUNKUNNAM,
THRISSUR DISTRICT - 680002,
REP. BY MANAGING DIRECTOR, K.M. MOHANDAS.

BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SRI.K.D.SREEVISAKH

RESPONDENT/DEFENDANT:

PUNJAB NATIONAL BANK,
THRISSUR BRANCH, PARAMAKKAVU DEVASWOM BUILDING
PALACE ROAD, THRISSUR -680 020
REP. BY ITS ASSISTANT GENERAL MANAGER.

R BY SRI.SANTHEEP ANKARATH, SC, PUNJAB NATIONAL BANK

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
25-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C) .No. 841 of 2015 (O)

APPENDIX

PETITIONER(S) 'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE PLAINT IN O.S NO.16/15 BEFORE THE 1ST
ADDITIONAL SUB COURT, THRISSUR.

EXHIBIT P2: TRUE COPY OF THE I.A.NO.198/2015 IN O.S.NO.16/2015 ON THE
FILE OF THE 1ST ADDITIONAL SUB COURT, THRISSUR.

EXHIBIT P3: TRUE COPY OF THE COUNTER FILED BY THE RESPONDENT IN
O.S.NO.16/15 BEFORE THE 1ST ADDITIONAL SUB COURT, THRISSUR.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

P.BHAVADASAN, J.

O.P.(C) No. 841 of 2015

Dated this the 25th day of March, 2015.

JUDGMENT

The limited prayer in this original petition under Article 227 of the Constitution of India is for a direction to the Ist Additional Sub Court, Thrissur to take up I.A.No.198 of 2015 in O.S.No.16 of 2015 and dispose it of on merits in accordance with law within a time limit to be fixed by this Court.

2. The petitioner availed a loan from the respondent Bank and he wanted to transfer the loan to another bank and therefore he approached the court below by filing I.A.No.198 of 2015 seeking for a direction to the bank to receive the security in the form of bank guarantee or fixed deposit for the amount due to the bank and to hand over the documents submitted in connection with the loan. The grievance of the petitioner is that even after lapse of several postings, the matter has not been heard and that cause irreparable loss to the petitioner.

This petition is allowed and Ist Additional Sub Court, Thrissur is directed to take up I.A.No.198 of 2015 in O.S.No.16 of 2015 and dispose it of in accordance with law, at any rate, before the summer vacation.

**Sd/-
P.BHAVADASAN
JUDGE**

Scl.