

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

OP(C).No. 2563 of 2014 (O)

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(EP.NO. 177/2013 OF PRL.MUNSIFF COURT, KASARAGOD)  
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PETITIONER :

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Y. SUBBANNA ALVA, AGED 71 YEARS,  
S/O.Y. CHIKKAPPA ALVA, R/AT ENMAKAJE HOUSE,  
PERLA POST, ENMAKAJE VILLAGE, KASARAGOD.

BY ADV. SRI.S.JIJI

RESPONDENT :

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THE PERLA SERVICE CO-OPERATIVE BANK LTD.,  
NO.C-3377,PERLA, ENMAKAJE VILLAGE, PERLA P.O.,  
KASARAGOD -671 552, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.JAWAHAR JOSE  
SRI.ARUN AJAY SHANKAR

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD  
ON 03-06-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

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OP(C).No. 2563 of 2014 (O)  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- EXHIBIT P1    COPY OF THE E.P. NO. 177/2013 DATED 30/6/2013
- EXHIBIT P2    COPY OF THE E.A.NO.166/2014 ALONG WITH DOCKET ORDER DATED  
21/8/2014
- EXHIBIT P3    COPY OF THE WARRANT OF SALE OF PROPERTY DATED 26/8/2014
- EXHIBIT P4    COPY OF THE SALE PROCEEDING DATED 1/10/2014
- EXHIBIT P5    COPY OF THE LETTER ISSUED BY THE DEPUTY COLLECTOR ,  
SPECIAL CELL FOR REHABILITATION OF THE ENDOSULFAN VICTIMS  
DATED 19.7.2014
- EXHIBIT P6    COPY OF THE GOVERNMENT ORDER DATED 16/6/2014

**RESPONDENT(S)' EXHIBITS**  
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- EXHIBIT R(1)   COPY OF THE LOAN APPLICATION SUBMITTED BY THE PETITIONER  
DATED 27/12/2005.
- EXHIBIT R(2)   COPY OF THE GOVERNMENT ORDER DATED 10/10/2014

/TRUE COPY/

P.A.TO JUDGE

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**B.KEMAL PASHA, J.**

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O.P(C). No.2563 of 2014

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*Dated this the 3<sup>rd</sup> day of June, 2015*

**J U D G M E N T**

Heard learned counsel for the petitioner.

2. The petitioner is a 71 year old senior citizen.

Considering the submissions made by the learned counsel for the petitioner, this Court is also of the view that an opportunity can be granted to the petitioner to pay off the decree debt in four equal monthly instalments commencing from 02.07.2015. In case of default of any of the instalments, the sale would stand confirmed.

This Original Petition (Civil) is disposed of as above.

Sd/-

**B.KEMAL PASHA  
JUDGE**