

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

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

OP (DRT).No. 26 of 2015

**AGAINST THE ORDER DATED 10-02-2015 IN SA 780/2012 OF DEBT RECOVERY
TRIBUNAL, ERNAKULAM**
.....

PETITIONER(S)/1ST APPLICANT:

**DR.JUSTIN JOSEPH,
VADKKEKUTTIANICKAL HOUSE, ERATTUPETTA,
PIN 686 121, KOTTAYAM.**

**BY ADVS.SRI.M.V.THAMBAN
SRI.R.REJI
SMT.THARA THAMBAN
SRI.B.BIPIN
SRI.ARUN BOSE**

RESPONDENT(S)/DEFENDANTS:

- 1. THE FEDERAL BANK LTD.,
ARUVITHURA BRANCH, REPRESENTED BY ITS MANAGER,
ARUVITHURA BRANCH, KOTTAYAM DISTRICT, PIN - 686 122.**
- 2. AUTHORIZED OFFICER/CHIEF MANGER (SAMC),
THE FEDERAL BANK LTD., REGIONAL OFFICE,
THEKKUMKAL BUILDING, T.B. ROAD,
KOTTAYAM, KOTTAYAM DISTRICT, PIN - 686 001.**
- 3. THE DEPUTY GENERAL MANAGER (SAMC),
FEDERAL BANK LIMITED, REGIONAL OFFICE, KOTTAYAM,
PIN - 686 001.**

**BY ADVS. SRI.A.ANTONY
SMT.LEELAMMA ANTONY**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING BEEN FINALLY
HEARD ON 24-03-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

msv/

OP (DRT).No. 26 of 2015

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE S.A.NO.780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL, ERNAKULAM.

ANNEXURE A1: TRUE COPY OF THE NOTICE NO.KTMR/SEPF/AUT/12 DTD.11.4.2012.

ANNEXURE A2: TRUE COPY OF THE OBJECTION DTD.23.8.2009 FILED BY THE 1ST APPLICANT BEFORE THE 3RD DEFENDANT.

ANNEXURE A3: TRUE COPY OF THE NOTICE DTD.4.9.2012 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P2: TRUE COPY OF IA NO. 2793/2012 IN SA NO. 780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL AT ERNAKULAM.

EXHIBIT P3: TRUE COPY OF THE ORDER DATED 11/12/2012 IN IA NO. 2793/2012 IN SA NO. 780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL AT ERNAKULAM.

EXHIBIT P4: TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE RESPONDENTS IN SA NO.780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL, ERNAKULAM.

ANNEXURE B1: COPY OF THE LETTER EXTENDING MORTGAGE.

EXHIBIT P5: TRUE COPY OF THE COUNTER STATEMENT FILED IN IA NO. 2793/2012 IN SA NO. 780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL AT ERNAKULAM.

EXHIBIT P6: TRUE COPY OF THE ORDER DATED 10/2/2015 IN SA NO. 780/2012 ON THE FILES OF THE HON'BLE DEBT RECOVERY TRIBUNAL AT ERNAKULAM.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT). No. 26 of 2015

Dated this the 24th day of March, 2015

JUDGMENT

It is submitted by the learned counsel for the respondent bank that S.A.No.780 of 2012 is currently being heard before the Debt Recovery Tribunal and there is a posting today also for further hearing. It is his submission that the OP(DRT) itself can be closed by making the interim order dated 06.03.2015 absolute till the disposal of the SA by the Debt Recovery Tribunal. Counsel for the petitioner also agrees to this course of action.

Recording the said submission of the learned counsel for the respondent bank, therefore, the OP(DRT) is closed by making the interim order dated 06.03.2015 absolute till such time as SA No.780 of 2012 is finally disposed of by the Debt Recovery Tribunal. The Debt Recovery Tribunal shall endeavour to pass final orders in the SA within a period of two months from the date of receipt of a copy of this judgment.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE