

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

OP (DRT).No. 50 of 2015 (Q)

IN ID 15132/2009 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER(S) :

ABOOBACKER KOOTHRADAN,
AGED 52 YEARS, S/O.MOIDEEN KUTTY,
KOOTHRADAN HOUSE,
KALAMBADI MALAPPURAM DISTRICT.

BY ADVS.SRI.C.A.NAVAS
SRI.T.K.SASIKUMAR.

RESPONDENT(S) :

1. THE BRANCH MANAGER,
FEDERAL BANK LTD, MONGAM,
MALAPPURAM DISTRICT-675 110.
2. THE DEPUTY GENERAL MANAGER,
FEDERAL BANK LTD, REGIONAL OFFICE, FEDERAL TOWERS,
SHAKTHAN THAMPURAM NAGAR, THRICHRUR-680 001.
3. THE CHIEF MANAGER,
FEDERAL BANK LTD, REGIONAL OFFICE, FEDERAL TOWERS,
SHAKTHAN THAMPURAM NAGAR, THRICHRUR-680 001.
4. THE REGISTRAR,
THE HONOURABLE DEBT RECOVERY TRIBUNAL,
ERNAKULAM-682 017.
5. THE VILLAGE OFFICER,
NEDIYIRUPPU VILLAGE, ERNAD THALUK,
MALAPPURAM DISTRICT-675 110.

BY GOVERNMENT PLEADER SRI.R.RENJITH.

THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR
ADMISSION ON 26-05-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1 PHOTOSTAT COPY OF THE RELEVANT PART OF AUCTION NOTICE.
- EXT.P2 PHOTOSTAT COPY OF THE CHELAN DATED 20.02.2010.
- EXT.P3 PHOTOSTAT COPY OF APPLICATION DATED 10.03.2010.
- EXT.P4 PHOTOSTAT COPY OF THE COMMUNICATION LETTER NO.TCRR/MA/
SARFESI 280/1195/2010 DATED 19.4.2010.
- EXT.P5 PHOTOSTAT COPY OF THE RECEIPT DATED 21.4.2010.
- EXT.P6 PHOTOSTAT COPY OF THE RECEIPT DATED 28/4/2010.
- EXT.P7 PHOTOSTAT COPY OF THE SALE CERTIFICATE DATED 16.06.2012.
- EXT.P8 PHOTOSTAT COPY OF THE SALE DEED NO.3279 DATED
14.07.2010.
- EXT.P9 PHOTOSTAT COPY OF THE ENCUMBRANCE CERTIFICATE DATED
17.09.2010.
- EXT.P10 PHOTOSTAT COPY OF THE REPRESENTATION DATED 15.9.2010.
- EXT.P11 PHOTOSTAT COPY OF THE COMMUNICATION NO.236/2010 DATED
20.9.2010.
- EXT.P12 PHOTOSTAT COPY OF THE REQUEST ORDER DATED 12.08.2010 IN
I.A.1525/2010 IN 2833/2009 UNREGISTERED SECURITIZATION
APPLICATION.
- EXT.P13 PHOTOSTAT COPY OF THE APPLICATION DATED 22.11.2010.
- EXT.P14 PHOTOSTAT COPY OF THE REFER REPORT DATED 22.11.2010.
- EXT.P15 PHOTOSTAT COPY OF THE JUDGMENT DATED 07.11.2012 IN OP
(DRT)NO.3722 OF THE HONOURABLE HIGH COURT.
- EXT.P16 PHOTOSTAT COPY OF THE COMMUNICATION DATED 18.07.2014.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

OP(DRT) No.50 of 2015

Dated this the 26th day of May, 2015

J U D G M E N T

The petitioner is the highest bidder in the public auction for the sale of the property conducted pursuant to SARFAESI Act. Ext.P7 is the sale certificate. Ext.P8 is the sale deed executed by the bank in favour of the petitioner. The petitioner submits that the property was registered in in his name. The petitioner approached this Court on account of the undue delay in disposing application filed before Debt Recovery Tribunal (DRT) in Un numbered S.A.in I.A.2833/2009. A report has been called for from the DRT as to the status of of the above application filed before DRT. As per the letter dated 19.5.2015 of the DRT, it is stated that final order will be passed in the matter within one month.

2. In the light of the above, there shall be direction to the DRT to conclude the entire proceedings in the above application on or before 20.6.2015.

The Original Petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/