

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 13TH DAY OF OCTOBER 2015/21ST ASWINA, 1937

OP (DRT).No. 114 of 2015 (O)

OA.NO.176/2003 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER :

MOHANKUMAR.S.,S/O.RAGHAVA PANICKER,
RAGHAVA VILASAM, KAZHIVOOOR P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY
GUARDIAN AND NEXT FRIEND C.SUDHAKARAN,
S/O.CHAKKRAPANI PANIKKAR, KARIPPOTTICHIRA,
KUTTICAL P.O, PIN-695 574.

BY ADVS.SRI.D.NARENDRANATH
SRI.M.HARISHARMA

RESPONDENT(S):

1. STATE BANK OF TRAVANCORE,
NELLIMUDU BRANCH, THIRUVANANTHAPURAM,PIN- 695 524,
REPRESENTED BY ITS BRANCH MANAGER.
2. M/S. KUMAR TRADERS,
REPRESENTED BY SOLE PROPRIETOR, R.SREEKUMAR,
S/O.RAGHAVA PANIKKAR, RAGHAVA VILASAM,
KAZHIVOOOR P.O.- 695 526, THIRUVANANTHAPURAM.
3. SINDHU, D/O.RAGHAVA PANIKKAR,
RAGHAVA VILASAM, KAZHIVOOOR P.O.-695 526.
THIRUVANANTHAPURAM.
4. SULOCHANA, W/O. RAGHAVA PANIKKAR,
RAGAHVA VILASAM, KAZHIVOOOR P.O.,
THIRUVANANTHAPURAM- 695 526.
5. USHA KUMARI,D/O.RAGHAVA PANIKKAR,
RAGHAVA VILASAM, KAZHIVOOOR P.O.,
THIRUVANANTHAPURAM- 695 526.

R1 BY SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN

THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR ADMISSION
ON 13-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

sts

OP (DRT).No. 114 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. COPY OF THE PETITION TO RECALL THE CERTIFICATE ISSUED BY THE DRT,EKM HAVING NUMBER I.A.NO. 1916 OF 2011 IN OA 176 OF 2003.

EXHIBIT P2. COPY OF THE PETITION TO RECALL THE CERTIFICATE ISSUED BY THE DRT,EKM HAVING NUMBER IA.NO. 1923 OF 2011 IN OA.NO. 176 OF 2003.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.
.....
O.P.(DRT).No.114 of 2015
.....
Dated this the 13th day of October, 2015

J U D G M E N T

The grievance of the petitioner in the O.P.(DRT) is essentially that, although Exts.P1 and P2 petitions for recalling the recovery certificate issued by the Tribunal, as also for appointing a guardian for the petitioner, who is stated to be mentally challenged, are pending before the Tribunal, no orders have been passed thereon. When the matter came up for admission on 28.09.2015, I called for a report from the Debt Recovery Tribunal, Ernakulam, with regard to the time required for passing final orders in I.A.Nos.1916 of 2011 and 1923 of 2011 in O.A.No.176 of 2003. By a report dated 05.10.2015, the Debt Recovery Tribunal has informed that, it would require four months time for passing final orders in the I.As referred to above. Taking note of this report, I dispose the O.P. (DRT) with a direction to the Debt Recovery Tribunal to consider and pass orders in I.A.Nos.1916 of 2011 and 1923 of 2011 in O.A.No.176 of 2003 within three months from the date of receipt of a copy of this judgment.

O.P.(DRT) is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

xxx