

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

OP (DRT).No. 123 of 2015 (O)

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AGAINST THE ORDER/JUDGMENT IN OA 129/2014 of DEBT RECOVERY
TRIBUNAL, ERNAKULAM DATED**

PETITIONER(S):

- 1. K.G.PRAKASH ALIAS JNANAPRAKASH,
S/O.GEORGE JOSEPH, KANJAMALA HOUSE
KANNIVAYAL P.O.CHITTARIKKAL (VIA). KASARAGOD. KERALA
- 670 511.**
- 2. MARY GEORGE
W/O.GEORGE JOSEPH, KANJAMALA HOUSE
KANNIVAYAL P.O.CHITTARIKKAL (VIA). KASARAGOD. KERALA
- 670 511.**
- 3. STELLA GEORGE
W/O.BABY, KANJAMALA HOUSE
KANNIVAYAL P.O.CHITTARIKKAL (VIA). KASARAGOD. KERALA
- 670 511.**
- 4. MINI GEORGE
W/O.SHIBU JOSEPH, KANJAMALA HOUSE
KANNIVAYAL P.O.CHITTARIKKAL (VIA). KASARAGOD
KERALA - 670 511.**
- 5. DEEPA GEORGE
D/O.GEORGE JOSEPH, KANJAMALA HOUSE
KANNIVAYAL P.O.CHITTARIKKAL (VIA). KASARAGOD
KERALA - 670 511.**

**BY ADVS.SRI.C.P.UDAYABHANU
SRI.R.MANOJ**

RESPONDENT(S):

- 1. THE FEDERAL BANK LTD.
HAVING ITS REGISTERED OFFICE AT ALUVA AND BRANCH AMONG
OTHER PLACES AT BEEMANODI (VIA)
NILESHWAR, KASARAGOD, KERALA - 671 314.**
- 2. THE RECOVERY OFFICER
THE DEBTS RECOVERY TRIBUNAL (KERALA
AND LAKSHADWEEP) 8TH FLOOR
KSHB BUILDING, PANAMPILLY NAGAR, COCHIN - 682 036.**

O.P.(DRT).No.123/2015

**3. THE DEBTS RECOVERY TRIBUNAL
REPRESENTED BY ITS REGISTRAR, PANAMPILLY NAGAR
ERNAKULAM.**

**R1,R2 BY ADV. SMT.KEERTHI SOLOMON, CGC
R BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR
ADMISSION ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

OP (DRT).No. 123 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF THE JUDGEMENT IN OA NO.129/2014 OF THE DEBTS RECOVERY TRIBUNAL, (ERNAKULAM AND LAKSHADWEEP) DATED 11.3.2015

EXT.P-2: TRUE COPY OF THE IA NO.1506/2015 AND ITS ACCOMPANYING AFFIDAVIT DATED 25.5.2015

EXT.P-3: TRUE COPY OF THE IA NO.1505/2015 IN OA NO.129/2014 OF THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM DATED 25.5.2015

EXT.P-4: TRUE COPY OF THE OBJECTIONS FILED BY THE 1ST RESPONDENT TO IA NO.1506/2015 IN OA NO.129/2014 ON THE FILES OF THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM.

EXT.P-5: TRUE COPY OF THE OBJECTIONS FILED BY THE 1ST RESPONDENT TO IA NO.1505/2015 IN OA NO.129/2014 ON THE FILES OF THE DEBT RECOVERY TRIBUNAL, ERNAKULAM.

EXT.P-6: TRUE COPY OF THE NOTICE FOR SETTLING SALE PROCLAMATION DATED 21.9.2015

RESPONDENT(S)' EXHIBITS: NIL.

//TRUE COPY//

P.S TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT).NO.123 OF 2015 (O)

Dated this the 2nd day of November, 2015

J U D G M E N T

In this original petition, the prayer of the petitioners is essentially for a direction to the Debt Recovery Tribunal [DRT], Ernakulam, to consider and pass orders on I.A.Nos.1505/2015 and 1506/2015 in O.A.No.129/2015, expeditiously, after hearing them.

When the matter came up for admission, I had called for a report from the Presiding Officer, DRT, Ernakulam, as regards the time that would be required to pass orders in the aforesaid I.As. By a report dated 27.10.2015, the Presiding Officer of the DRT, Ernakulam has sought for two months time for disposing the said I.As. Taking note of the said report, I dispose the O.P.(DRT) by directing the DRT, Ernakulam, to pass final orders in the aforesaid I.As in O.A.No.129/2015 on or before 31.12.2015. Taking note of the submission of counsel for the petitioners that the matter is posted before the DRT tomorrow for settlement of the proclamation, I direct that till such time as orders are passed by the DRT, on the aforementioned I.A.s, further proceedings pursuant to Ext.P6 notice shall be kept in abeyance.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/2/11/15