

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

OP (DRT).No. 125 of 2015 (O)

SA 267/2013 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER(S):

**GEORGE J.THALIATH, AGED 54 YEARS,
S/O.LATE JACOB THALIATH,
CC..NO.53/1415, PANDIT KARUPPAN ROAD, THEVARA,
ERNAKULAM 682 013.**

BY ADV. SRI.BIJU ABRAHAM

RESPONDENT(S):

- 1. STATE BANK OF INDIA,
S.H.COLLEGE BRANCH, THEVARA, KOCHI 682 013,
REPRESENTED BY ITS CHIEF MANAGER.**
- 2. THE DEBT RECOVERY TRIBUNAL,
ERNAKULAM (KERALA AND LAKSHADWEEP), 5TH FLOOR,
K.S.H.B BUILDING, PANAMPILLY NAGAR, KOCHI-36,
REPRESENTED BY ITS REGISTRAR.**

**R1 BY ADVS. SRI.GEORGE THOMAS (MEVADA)(SR.)
SRI.MANU GEORGE KURUVILLA
SRI.AMAL GEORGE**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR ADMISSION
ON 09-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: A TRUE COPY OF THE NOTICE GIVEN BY THE 1ST RESPONDENT DATED 01.07.2015.
- EXHIBIT P2: A TRUE COPY OF THE NOTICE DATED 02.07.2015 OF THE ADVOCATE COMMISSION.
- EXHIBIT P3: A TRUE COPY OF THE I.A.1744/2015 IN S.A.267/2013 ON THE FILES OF DEBT RECOVERY TRIBUNAL,ERNAKULAM.
- EXHIBIT P4: A TRUE COPY OF THE ORDER DATED 09.07.2015 IN I.A.1744/2015 IN S.A.267/2013 ON THE FILES OF DEBT RECOVERY TRIBUNAL, ERNAKULAM.
- EXHIBIT P5 A TRUE COPY OF THE ORDER DATED 24.07.2015 IN O.P(DRT) NO.95/2015 OF THIS HON'BLE COURT.
- EXHIBIT P6: A TRUE COPY OF THE JUDGMENT DATED 06.08.2015 IN O.P(DRT) NO.95/2105 OF THIS HON'BLE COURT.
- EXHIBIT P7: A TRUE OF THE APPLICATION FILED TO SET ASIDE THE PROCEEDINGS OF THE BANK DATED 23.07.2015 AS I.A.NO.2105/2015 IN S.A.267/2013 BEFORE THE DEBT RECOVERY TRIBUNAL,ERNAKULAM.
- EXHIBIT P8: A TRUE COY OF THE APPLICATION SEEKING DIRECTION TO MAINTAIN STATUS QUO FILED AS I.A.NO.2104/2015 IN S.A.267/2013 BEFORE THE DEBT RECOVERY TRIBUNAL, ERNAKULAM.
- EXHIBIT P9 A TRUE COPY OF THE APPLICATION FOR APPOINTMENT OF ADVOCATE COMMISSION FILED AS I.A.NO.2103/2105 IN S.A.267/2013 BEFORE THE DEBT RECOVERY TRIBUNAL,ERNAKULAM.
- EXHIBIT P10: A TRUE OF THE COUNTER AFFIDAVIT FILED BY THE 1ST RESPONDENT IN I.A.NO.2105/2015 IN S.A.267/2013 BEFORE THE TRIBUNAL,ERNAKULAM.
- EXHIBIT P11: A TRUE OF THE COUNTER AFFIDAVIT FILED BY THE 1ST RESPONDENT IN I.A.NO.2104/2105 IN S.A.267/2013 BEFORE THE TRIBUNAL, ERNAKULAM.
- EXHIBIT P12: A TRUE OF THE COUNTER AFFIDAVIT FILED BY THE 1ST RESPONDENT IN I.A.NO.2103/2015 IN S.A.267/2103 BEFORE THE DEBT RECOVERY TRIBUNAL, ERNAKULAM.
- EXHIBIT P13: A TRUE OF THE APPLICATION FILED TO RETURN THE SHOW ROOM PROPERTY AS I.A.NO.2697/2015 IN S.A.267/2013 BEFORE THE TRIBUNAL.

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EXHIBIT P14: A TRUE OF THE APPLICATION FOR TEMPORARY INJUNCTION FILED
AS I.A.NO.2694/2015 IN S.A.267/2103 BEFORE THE DEBT RECOVERY
TRIBUNAL, ERNAKULAM

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT).NO.125 OF 2015

Dated this the 9th day of November, 2015

J U D G M E N T

The O.P(DRT) is filed praying for a direction to the Debt Recovery Tribunal, Ernakulam, to consider and pass orders on I.A.Nos.2103 to 2105 of 2015, 2694 and 2697 of 2015 in S.A.No.267 of 2013 within a specified time frame. When the O.P (DRT) came up for admission, I had called for a report from the Presiding Officer of the Debt Recovery Tribunal with regard to the time that would be required for disposing the said I.As. By a report dated 02.11.2015, the Presiding Officer of the Debt Recovery Tribunal has informed that the said I.As can be disposed within two months from today. Taking note of the said report, I dispose the O.P(DRT) with a direction to the Debt Recovery Tribunal, Ernakulam to pass final orders in the I.As mentioned above, in S.A.No.267/2013, on or before 05.01.2016.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/9.11.2015

