

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

OP (DRT).No. 130 of 2015 (O)

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AGAINST THE ORDER IN SA 388/2015 of DEBT RECOVERY TRIBUNAL, ERNAKULAM
DATED 06-10-2015
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PETITIONER(S) :

**RAMDAS, AGED 52 YEARS,
S/O.SMT.VILASINI AMMA,
VILAKKATHARA HOUSE, THRISSUR DESOM,
THRISSUR VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.**

BY ADV. SRI.M.TRIPTEN

RESPONDENT(S) :

- 1. THE AUTHORIZED OFFICER,
THRISSUR DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFCE, SAHAKARANA SATHABDI MANDIRAM,
KOVILAKAHUMPADAM, THRISSUR - 680 002.**
- 2. THE MANAGER,
THRISSUR DISTRICT CO-OPERATIVE BANK LTD.,
PUDUKKAD BRANCH, PUDUKKAD,
THRISSUR DISTRICT - 680 002.**

BY ADV. SRI.C.A.MAJEED, SC, THRISSUR DISTRICT CO.OP. BANK

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR
ADMISSION ON 26-10-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

AMV

: 2 :

OP (DRT).No. 130 of 2015 (O)

APPENDIX

PETITIONER(S) EXHIBITS :

**EXT.P1: COPY OF THE SAID NOTICE DATED 14.05.2014 ISSUED BY THE
2ND RESPONDENT BANK.**

**EXT.P2: COPY OF THE RECEIPT FOR RS.1,25,000/- DATED 25.03.2015
ISSUED TO THE PETITIONER.**

**EXT.P3: COPY OF THE NOTICE DATED 01.10.2015 ISSUED BY THE ADVOCATE
COMMISSIONER IN CRL.M.P.NO.4729/2015 BEFORE THE CHIEF
JUDICIAL MAGISTRATE COURT, THRISSUR.**

**EXT.P4: COPY OF THE ORDER DATED 06.10.2015 S.A.NO.388/2015 PENDING
ON THE FILES OF THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM.**

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

A.K.JAYASANKARAN NAMBIAR, J.
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O.P.(DRT). No. 130 of 2015
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Dated this the 26th day of October, 2015

JUDGMENT

The petitioner has approached this Court aggrieved by Ext.P4 order passed by the Debt Recovery Tribunal, in SA No.388 of 2015, whereby the petitioner was directed to effect payments as a condition for grant of stay against further proceedings for recovery by the respondent bank. When the matter was taken up for orders today, it was submitted by the learned counsel for the bank that the petitioner had earlier approached this Court, against the recovery steps initiated by the respondent bank, through WP(C) No.20245 of 2015, which was dismissed by this Court, after taking note of the fact that the petitioner had approached through an earlier writ petition, seeking similar reliefs and had defaulted in the installments granted on that occasion. It is stated that, against the judgment dismissing the writ petition No.20245 of 2015, the petitioner approached the Hon'ble Division Bench, through Writ Appeal No.1980 of 2015, which was also dismissed. Under the said circumstances, I am of the view that the petitioner is not entitled to any relief in the present OP(DRT). The OP(DRT) fails and is accordingly, dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE