

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

OP (DRT).No. 134 of 2015 (O)

SA. NO.16/2005 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM.

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PETITIONER(S):

**MERCY EAPEN, AGED 72 YEARS,
W/O. V.M. EAPEN, SAJI NIWAS,
COCHIN UNIVERSITY (P.O), KOCHI, PIN:682 022.**

BY ADV. SRI.JAWAHAR JOSE.

RESPONDENT(S):

- 1. CANARA BANK,
REPRESENTED BY ITS MANAGER,
BANERJEE ROAD BRANCH, KOCHI, PIN:682 018.**
- 2. P. SURESH KUMAR, S/O. PURUSHOTHAMA BHAT,
SHANTHI NILAYAM, PULIKKAPPILLY LANE,
PACHALAM, KOCHI, PIN:682 012.**
- 3. V. SURESH KUMAR, S/O. SUKUMARA MENON,
LATHA NIWAS, KANNAMPILLY ROAD,
PACHALAM, KOCHI, PIN:682 012.**
- 4. SAJI V.EAPEN,
S/O. V.M. EAPEN, VALAMANGALAM HOUSE,
COCHIN UNIVERSITY (P.O), KOCHI, PIN:682 022.**

R1 BY ADV. SRI.PAULY MATHEW MURICKEN, SC.

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP (DRT).No. 134 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1: TRUE COPY OF THE NOTICE ISSUED UNDER SECTION 13(2) OF THE SARFAESI ACT.
- EXHIBIT P2: TRUE COPY OF THE REPLY GIVEN BY THE PETITIONER TO EXHIBIT P1.
- EXHIBIT P3: TRUE COPY OF THE POSSESSION NOTICE ISSUED UNDER SECTION 13(4) OF THE SARFAESI ACT.
- EXHIBIT P4: TRUE COPY OF THE MEMORANDUM OF S.A. NO.16/2005 PENDING ON THE FILES OF THE DEBTS RECOVERY TRIBUNAL, ERNAKULAM.
- EXHIBIT P5: TRUE COPY OF THE REPORT OF THE EXPERT WHICH IS SUBMITTED BEFORE THE D.R.T.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT).NO.134 OF 2015 (O)

Dated this the 1st day of December, 2015

J U D G M E N T

The petitioner has approached this Court aggrieved by the delay occasioned by the Debt Recovery Tribunal [DRT], Ernakulam, in disposing S.A.No.16/2005, pending before the said Tribunal.

When the matter was taken up for admission, I had called for a report from the Presiding Officer, DRT, Ernakulam, as to the time that would be required for disposing the aforesaid S.A. By a report dated 04.11.2015 submitted by the Presiding Officer, DRT, he has indicated that he would require three months time to pass final orders in the above S.A. Taking note of the said report, I dispose the original petition directing the DRT, Ernakulam, to pass final orders in S.A.No.16/2005 on or before 28.02.2016, after hearing the parties.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/1/12/15