

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

OP (DRT).No. 145 of 2015 (O)

SA .NO. 345/2015 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER(S) :

**1. SAJEEVAN S.,
S/O.SANKARANKUTTY, RADHA HOMES, ILLIKKAPADY
EROOR P.O., ERNAKULAM.**

**2. JEENA SAJEEVAN
W/O.SAJEEVAN, RADHA HOMES, ILLIKKAPADY
EROOR P.O., ERNAKULAM.**

**BY ADVS.SRI.N.SASI
SMT.T.M.BINITHA**

RESPONDENT :

**AUTHORISED OFFICER
FEDERAL BANK, VYTTILA BRANCH, THAMMANAM ROAD
VYTTILA , PIN – 682 020.**

**BY ADVS. SRI.A.ANTONY
SMT.LEELAMMA ANTONY**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR ADMISSION
ON 08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

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APPENDIX

PETITIONERS' EXHIBITS :

EXT. P1: TRUE COPY OF THE 13 (4) NOTICE ISSUED BY THE RESPONDENT
DATED 11.01.2014.

EXT. P2: TRUE COPY OF THE SA NO.345/2015 WITHOUT ANNEXURE ON THE
FILE OF THE DEBT RECOVERY TRIBUNAL, ERNAKULAM.

EXT. P3: TRUE COPY OF THE IA.NO.2288/2015 IN SA.NO.345/2015 ON THE FILE
OF THE DEBT RECOVERY TRIBUNAL, ERNAKULAM.

EXT. P4: TRUE COPY OF THE ORDER IN SA.NO.345/2015 ON THE FILE OF THE
DEBT RECOVERY TRIBUNAL, ERNAKULAM DATED 07.09.2015

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT). No. 145 of 2015

Dated this the 8th day of December, 2015

JUDGMENT

The petitioner has approached this Court by Ext.P4 order of the Debt Recovery Tribunal, Ernakulam, in SA No.345 of 2015 whereby the Tribunal directed the petitioner to effect a payment of Rs.4,00,000/- in two installments namely, Rs.2,00,000/- on or before 29.09.2015 and a further sum of Rs.2,00,000/- on or before 31.10.2015, as a condition for staying recovery proceedings initiated against the petitioner by the respondent bank. It is the case of the petitioner that, while he has already paid an amount of Rs.1,50,000/- pursuant to Ext.P4 order, he requires some more time to comply with the directions with regard to the payment of Rs.2,50,000/-.

2. I have heard the learned counsel appearing for the petitioner as also the learned Standing Counsel appearing for the respondent bank.

3. On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking note of the plea of financial hardship urged on behalf of the petitioner, I direct that, if the petitioner pays the amount of Rs.2,50,000/-

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(Rupees two lakh fifty thousand only) on or before 10.05.2016, then the same shall be treated as in compliance with the directions in Ext.P4 order of the Debt Recovery Tribunal.

The writ petition is disposed as above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /8.12.15