

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

OP (DRT).No. 58 of 2014 (O)

**JUDGMENT DATED 29-11-2012 IN SA 194/2008 OF DEBT RECOVERY TRIBUNAL,
ERNAKULAM**
.....

PETITIONER(S):

**MARIYAMMA GEEVARGHESE, AGED 72 YEARS,
W/O.GEEVARGHESE, CHAMBAKKATTUKUDIYIL, THRIKARIYUR,
KOTHAMANGALAM, ERNAKULAM DISTRICT.**

BY ADV. SRI.AYPE JOSEPH

RESPONDENT(S):

- 1. AUTHORIZED OFFICER,
S.B.I, STRESSED ASSETS RESOLUTION CENTRE, II FLOOR,
R.S.CENRE, ERNAKULAM - 682 017.**
- 2. BIJOY PAUL,
THELAKATTU HOUSE, AYAKAD, AROORPADAM P.O.,
KOTHAMANGALAM - 686 666.**

**R1 BY ADVS. SRI.K.K.CHANDRAN PILLAI (SR.)
SRI.THOMAS JAMES MUNDACKAL**
**R2 BY ADVS. SRI.THAMPAN THOMAS
SRI.B.V.JOY SANKER
SRI.SHAFFIE THOMAS
SMT.JANCY ALEX
SRI.SANEESH KUNJUKUNJU**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING BEEN FINALLY HEARD ON
20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

ms/

OP (DRT).No. 58 of 2014 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: A TRUE COPY OF THE JUDGMENT IN WPC NO.17304/09 DATED 17/5/2010.

**EXT.PII: A TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE
2ND RESPONDENT IN WPC NO.17304/09 DT. 13/8/09.**

EXT.PIII: A TRUE COPY OF THE EXTRACT FROM THE MUTATION REGISTER.

**EXT.PIV: A TRUE COPY OF THE CERTIFICATE ISSUED BY THE AGRICULTURAL
OFFICER KRISHI BHAVAN KOTTAPPADY, DATED 22/11/12.**

**EXT.PV: A TRUE COPY OF THE JUDGMENT IN S.A. NO.194/2008, DEBT RECOVERY
TRIBUNAL ERNAKULAM, DATED 29/11/2012.**

RESPONDENT(S)' EXHIBITS:

EXT.R2(a): TRUE COPY OF THE WP(C) NO.17304/2009 WITHOUT EXHIBITS.

**EXT.R2(b): TRUE COPY OF THE BASIC TAX REGISTER PRODUCED BY THE
PETITIONER IN SA.194/2008.**

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

O.P.(DRT).No.58 of 2014

Dated this the 20th day of July, 2015

J U D G M E N T

The petitioner aggrieved by Ext.P5 order passed by the Debts Recovery Tribunal, Ernakulam has approached this Court. The petitioner seeks liberty to move DRAT for challenging Ext.P5 order.

In that view of the matter, this writ petition is disposed of with liberty to the petitioner to move DRAT. However, the time expired during pendency of this writ petition has to be excluded, while reckoning the limitation. This writ petition is filed on 30.04.2014.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV