

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

RP.No. 540 of 2015 (O)

AGAINST THE JUDGMENT IN O.P.(C)NO.1294 OF 2015, DATED 05-06-2015

PETITIONER(S)/2ND RESPONDENT :

**G.JAYAN, AGED 50 YEARS,
S/O.GOPALAN, VIJAYALAYAM, THIRUMULLAVARAM,
KOLLAM.**

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

RESPONDENT(S)/PETITIONER/1ST RESPONDENT :

- 1. AYYAPPAN PILLAI, AGED 71 YEARS,
S/O.CHELLAPPAN PILLAI, GANESH BHAVAN,
KOLLAM WEST VILLAGE, KAVANAD P.O., KOLLAM, PIN- 691 012.**
- 2. H.D.F.C BANK LTD(FORMERLY CENTURIAN BANK OF PUNJAB
LIMITED AND FORMER TO IT LORD KRISHNA BANK),
A BANKING COMPANY INCORPORATED UNDER THE COMPANIES ACT,
SENAPATI BAPAT MARG, LOWER PAREL, MUMBAI- 400 013
& ONE OF ITS BRANCH AT KOLLAM REPRESENTED
BY ITS BRANCH MANAGER, REMEDIAL MANAGEMENT UNIT,
ERNAKULAM- 682 031.**

**R1 BY ADV. SRI.R.NIKHIL
R2 BY ADV. SRI.T.RAJESH**

**THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

ANNEXURE A1: CERTIFIED COPY OF THE JUDGMENT DATED 05.06.2015 IN O.P.(C)NO.1294/2015.

ANNEXURE A2: TRUE COPY OF THE ORDER IN I.A.NO.2216/2010 IN O.S.NO.129/2007 DATED 09.02.2010 PASSED BY THE PRINCIPAL SUB JUDGE, KOLLAM.

ANNEXURE A3: TRUE COPY OF THE S.A.NO.125/2012 FILED BEFORE THE DRT, ERNAKULAM.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
R.P. No.540 of 2015
in
O.P.(C) No.1294 of 2015
.....

Dated this the 23rd day of June, 2015

ORDER

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Heard learned counsel for the review petitioner and the respondents.

2. According to the review petitioner, who is the 2nd respondent, proceedings are pending before the Debt Recovery Tribunal in the matter and he is seriously aggrieved in the direction passed by this Court for expeditious disposal within a period of one month. According to the review petitioner, the matter before the court below should not be decided prior to the disposal of the matter before the Debt Recovery Tribunal.

3. In the result, R.P. is allowed and the judgment passed by this Court in O.P.(C) No.1294/2015 is reviewed and recalled. Inform the court below accordingly.

Post O.P.(C) No.1294/2015 for hearing next week.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/23/06

// True Copy //

PA to Judge