

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WA.No. 106 of 2015 () IN WP(C).30491/2014

**AGAINST THE ORDER/JUDGMENT IN WP(C) 30491/2014 of HIGH COURT OF KERALA
DATED 19/11/2014**

APPELLANT(S)/PETITIONERS:

- 1. C.MUHAMMADKUTTY AGED 57 YEARS
S/O.KUNHEEN, CHONARI HOUSE, MONNIUR P.O.
C.H.ROAD, MALAPPURAM.**
- 2. MOHAMMED K.A
S/O.ABDUL KHADAR, KUNNICKER HOUSE, VELIK
FORT KOCHI, ERNAKULAM.**

**BY ADVS.SRI.GEORGE SEBASTIAN
SRI.EBY P.PAUL**

RESPONDENT(S)/RESPONDENTS:

- 1. THE FEDERAL BANK LIMITED
M.G.ROAD BRANCH, ERNAKULAM
REPRESENTED BY ITS CHIEF MANAGER.**
- 2. THE AUTHORIZED OFFICER
THE FEDERAL BANK LIMITED, 6TH FLOOR, FEDERAL TOWERS
MARINE DRIVE, KOCHI - 11.**

**R1 BY ADV. SRI.A.ANTONY, SC
R1 BY ADV. SMT.LEELAMMA ANTONY**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ASHOK BHUSHAN, CJ
&
A.M. SHAFFIQUE, J.**

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W.A.No.106 of 2015

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Dated this, the 12th day of June, 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard the learned counsel for the appellants as well as the learned counsel appearing for the Bank.

2. This writ appeal has been filed against the judgment dated 19th of November, 2014 by which order, the writ petition filed by the appellants was disposed of by the learned Single Judge permitting the petitioners to clear the entire outstanding in six instalments, the first instalment of which was ordered to be paid on or before 20th of December, 2014. The above payment was in addition to ₹5,00,000/- which was directed to be paid by the interim order.

3. Petitioners have come up in the appeal stating that petitioners could not pay the amounts as directed by this Court and some further time may be granted. They further submit that they are ready to deposit ₹10,00,000/- (Rupees ten lakhs only)

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and the Bank may be directed to consider the prayer for one time settlement.

4. We are of the view that it is for the Bank to consider such request for one time settlement provided there are schemes available in the Bank. We do not find any ground to interfere in the judgment of the learned Single Judge.

Writ appeal is dismissed. We, however, observe that this judgment shall not preclude the appellants to approach the Bank for one time settlement on terms and conditions as agreed between the parties.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp

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PS to Judge