

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WA.No. 110 of 2015 (L) IN WP(C).2914/2014

AGAINST THE ORDER IN I.A. No. 322/2015 IN WP(C) 2914/2014
DATED 13-01-2015
.....

APPELLANT/PETITIONER :

REJI DANIEL MATHEW
S/O.DANIEL MATHEW, RESIDING AT GILGAL PRAYER HALL
KUZHIMATTOM P.O, KOTTAYAM DISTRICT

BY ADV. SRIP.S.SUJETH

RESPONDENT/RESPONDENT :

THE AUTHORIZED OFFICER, SYNDICATE BANK,
HOUSING FINANCE BRANCH,M.G ROAD,ERNAKULM PIN 682 035

BY SRI.R.S. KALKURA, SC, SYNDICATE BANK

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ASHOK BHUSHAN, Ag.C.J. & A.M. SHAFFIQUE, J.

W.A. No. 110 OF 2015

Dated this the 19th day of January, 2015

JUDGMENT

Ashok Bhushan, Ag.C.J.

This appeal is filed against the order dated 13.01.2015 in I.A.No.322 of 2015 in W.P.(C) No.2914 of 2014 by which the application was dismissed. The learned Single Judge in the order has observed that earlier, on similar prayer, I.A. No. 15954 of 2014 was considered and the petitioner was accommodated to the maximum possible extent. But petitioner did not comply with the directions issued and filed another application.

2. Normally when SARFAESI proceedings are initiated against the borrower, the court can not interfere. But learned Single Judge has shown indulgence by exercising his discretion and granted further time to make the payment, which having been failed to do, the petitioner has filed another I.A. which was dismissed.

We do not find any error in the order passed by learned Single Judge. Hence the appeal is dismissed.

**Ashok Bhushan,
Acting Chief Justice.**

**A.M. Shaffique,
Judge.**