

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL**

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WA.No. 173 of 2015 ()

IA 167/2015 IN WP(C).22916/2014 OF HIGH COURT OF KERALA DATED 16.1.2015

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APPELLANT(S)/PETITIONER:

**DILILAL
ERATH BUNGLOW, HNRS-40, PATTOOR
VANCHIYOOR, THIRUVANANTHAPURAM.**

BY ADV. SRI.R.ANILKUMAR

RESPONDENT(S)/RESPONDENTS:

- 1. CENTRAL BANK OF INDIA
REGIONAL OFFICE, THIRUVANANTHAPURAM-695001.**
- 2. BRANCH MANAGER
CENTRAL BANK OF INDIA, THIRUVANANTHAPURAM-695001.**

BY SRI.DEVAN RAMACHANDRAN

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OKB

THOTTATHIL B. RADHAKRISHNAN & K.HARILAL, JJ.

Writ Appeal No.173 of 2015

Dated this the 29th day of January, 2015

JUDGMENT

Thottathil B. Radhakrishnan, J.

We have heard the learned counsel for the appellant and the learned Senior Government Pleader.

2. This appeal is against an interlocutory order by which the interlocutory application filed after the disposal of the writ petition was dismissed. The writ petition, which was one filed challenging proceedings under the SARFAESI Act, ended up in granting certain instalment facilities. Ultimately, the writ petitioner moved an interlocutory application saying that he is facing revenue recovery proceedings and that he has a purchaser, who can settle the transaction. The learned single Judge took the view that there are no grounds to grant any further relief and if the petitioner has a purchaser, it may be open for the purchaser to move the Bank and make appropriate arrangement for settling the liability. We do not see any ground to interfere with the said order of the learned

single Judge through this intra-court appeal filed under Section 5 of the High Court Act. This writ appeal therefore fails.

In the result, this writ appeal is dismissed.

Sd/-

THOTTATHIL B. RADHAKRISHNAN, JUDGE

Sd/-

K.HARILAL, JUDGE

okb.