

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

WA.No. 406 of 2015 () IN WP(C).32733/2014

AGAINST THE ORDER/JUDGMENT IN WP(C) 32733/2014 of HIGH COURT OF
KERALA DATED 19-12-2014

APPELLANT(S)/PETITIONERS:

1. JOSEPH PURAKKAT & CO. AGED 52 YEARS
REPRESENTED BY PATRICK JOY P.J.
MANAGING PARTNER OF 83 B, PURAKKAT HOUSE, KATHRIKADAVU
KALOOR P.O., KOCHI - 682 017.

2. RINTA PATRICK AGED 47 YEARS
W/O.PATRICK JOY P.J., PURAKKAT HOUSE, KATHRIKADAVU
KALOOR P.O., KOCHI - 682 017.

BY ADVS.SRI.DILEEP VARGHESE
SMT.TESMY VARGHEESE

RESPONDENT(S)/RESPONDENTS:

1. ASSISTANT GENERAL MANAGER
PEOPLES URBAN CO-OPERATIVE BANK LTD.
REGISTERED OFFICE (HEAD OFFICE)
THRIPUNITHURA - 682 031.

2. MANAGER
PEOPLES URBAN CO-OPERATIVE BANK LTD.
KATHRIKADAVU BRANCH, EMBRESS NEST
NEAR KATHRIKADAVU JUNCTION, KALOOR P.O.
KOCHI - 682 017.

BY SRI.DEVAPRASANTH.P.J.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
05-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

W.A.No. 406 of 2015

Dated this the 5th March, 2015

JUDGMENT

Ashok Bhushan, Ag, CJ.

Heard learned counsel for the appellants the learned Standing Counsel for the Bank.

2. This Writ Appeal has been filed against the judgment dated 19.12.2015 in W.P(C).No.32733 of 2014. The appellants had filed the Writ Petition seeking a direction to provide the facility of instalment or grant sufficient time to pay the outstanding amount. The learned Single Judge, by the impugned judgment, has directed the petitioner to deposit the entire liability by way of ten equal monthly instalments, first of which was to be effected on or before 10.1.2015. Learned counsel for the appellants submits that this appeal has been filed only for a limited purpose for extension of time for depositing the first instalment. He submits that due to the fact that

the first appellant was on medical leave for a period of three months from 6.1.2015, he could not deposit the amount. Learned counsel for the Bank submits that the appellants ought to deposit certain amount before March, 2015.

3. Considering the facts of the present case, we extend the period for depositing the first instalment by 31st March, 2015 and the subsequent instalments shall be paid by the end of each month.

Subject to the above modification, the Writ Appeal is disposed of.

**ASHOK BHUSHAN
ACTING CHIEF JUSTICE**

**A.M.SHAFFIQUE
JUDGE**

vgs5/3/15