

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 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WA.No. 660 of 2015 ()

AGAINST THE JUDGMENT IN WP(C).NO.7831/2015 DATED 12-03-2015.
.....

APPELLANT/PETITIONER:

**PARIMANATH JISHAN, AGED 37 YEARS,
S/O.SEBASTIAN, 18-PARIMANATH HOUSE,
PRATHEEKSHA NAGAR, PALLURUTHI P.O.,
ERNAKULAM - 682 005.**

**BY ADVS.SRI.N.P.PRAJEESH,
SRI.JOSEPH GEORGE.**

RESPONDENTS/RESPONDENTS:

- 1. STATE BANK OF TRAVANCORE,
REPRESENTED BY ITS BRANCH MANAGER,
BROADWAY BRANCH, ERNAKULAM - 682 036.**
- 2. THE AUTHORISED OFFICER,
STATE BANK OF TRAVANCORE (SECURED CREDITOR),
STRESSED ASSET RESOLUTION CENTRE, SBT BHAVAN,
PANAMPILLY NAGAR, ERNAKULAM - 682 036.**

**BY ADVS. SRI.SANTHOSH MATHEW, SC,
SRI.SATHISH NINAN.**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

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

W.A.No.660 of 2015

Dated this the 19th day of March 2015

J U D G M E N T

Ashok Bhushan, Ag.CJ

This writ appeal is filed against the judgment dated 12/03/2015 in W.P.C.No.7831/2015 by which the learned Single Judge dismissed the writ petition. The petitioner approached this Court earlier in W.P.C.No.30505/2013 which was disposed of permitting the petitioner to pay the overdue amount in four equal monthly instalments starting from 31/12/2013. But the petitioner did not comply with the judgment.

2. The learned counsel for the petitioner submits that the Debt Recovery Tribunal has also granted some time to make the payment which could not be complied with. He submits that auction is already fixed today and this Court may grant some breathing time to make the payment.

3. We are of the view that there is no error apparent on the face of the judgment which warrants interference by this Court exercising appellate jurisdiction. If the petitioner is aggrieved by the auction, he can avail statutory remedy under the Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002.

This writ appeal is accordingly dismissed.

(sd/-)
**(ASHOK BHUSHAN,
ACTING CHIEF JUSTICE)**

(sd/-)
(A.M.SHAFFIQUE, JUDGE)

jsr

