

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 2602 of 2009 (I)

PETITIONER(S):

**BIJU KUMAR, S/O. NARAYANA PILLAI,
AGED 36, PROPRIETOR, METRO AGENCIES,
RJK BHAVAN, NEAR SREEKRISHNA SWAMY TEMPLE,
PIPE LINE ROAD, MARUTHANKUZH, Y,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.NAIR AJAY KRISHNAN,
SRI.R.T.PRADEEP.**

RESPONDENT(S):

- 1. THE AUTHORISED OFFICER,
CHIEF MANAGER (ADVANCES),
STATE BANK OF TRAVANCORE,
REGION II, ZONAL OFFICE,
THIRUVANANTHAPURAM.**
- 2. R. LALITHAMMA, R.J.K. BHAVAN,
NEAR SREEKRISHNAWAMY TEMPLE,
PIPE LINE ROAD, MARUTHANKUZH, Y,
THIRUVANANTHAPURAM.**
- 3. N. CHANDRA KUMAR,
CHANDRAKALA HOUSE, NO. M 35, CHITRA NAGAR,
VATTIYOORKAVU.P.O, THIRUVANANTHAPURAM.**

R1 BY ADV. SRI.R.S.KALKURA, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C).No.2602 of 2009

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Dated this the 14th day of October, 2015

J U D G M E N T

The petitioner in the writ petition approached this Court when faced with recovery steps initiated by the respondent bank for recovery of defaulted loan amounts. A perusal of the files would indicate that, this Court had by an interim order dated 23.01.2009 granted a stay of recovery proceedings against the petitioner, on condition that, he deposited an amount of Rs.3,10,500/- within a period of three weeks from the date of the order and further amount of Rs.3,10,500/- within a further period of 45 days. Later when the matter came up for orders on 30.09.2009, this Court taking note of the fact that, the petitioner had not complied with the conditions stipulated in the interim order dated 23.01.2009 vacated the interim order and made it clear that, the respondent bank was free to proceed with further steps. Thereafter, the writ petition did not come up for orders till today. On a consideration of the facts as noted above, I am of the view that, nothing survives to be adjudicated in this writ petition and the said writ petition is dismissed as infructuous.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

