

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WA.No. 1331 of 2015 () IN WP(C).12584/2014

APPELLANT(S)/RESPONDENTS :-

1. PUNJAB NATIONAL BANK
CIRCLE OFFICE, SHATHABDI BHAVAN, GOVINDAPURAM
MINI BYEPASS ROAD, KOZHIKODE
REP.BY THE AUTHORISED OFFICER.
2. THE CHIEF MANAGER (AUTHORIZED OFFICER)
THE PUNJAB NATIONAL BANK, CIRCLE OFFICE
SHATHABDI BHAVAN, GOVINDAPURAM, MINI BYEPASS ROAD
KOZHIKODE.
3. THE BRANCH MANAGER
THE PUNJAB NATIONAL BANK, A.M.BUILDING, NILAMBUR.

BY ADV. SRI.K.P.SUDHEER

RESPONDENT(S)/PETITIONERS :-

1. RIYAS BABU
S/O. V.P.ABDULLA KUTTY, VALAPPURAM HOUSE, BEEMBUNGAL
MAMPAD P.O., NILAMBUR, MALAPPURAM DISTRICT-676 542.
2. AYISHA M.T.
W/O. RIYAS BABU, VALAPPURAM HOUSE, BEEMBUNGAL
MAMPAD P.O., NILAMBUR, MALAPPURAM DISTRICT-676 542.

BY SRI.U.K.DEVIDAS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

WA.NO.1331 OF 2015

APPENDIX

APPELLANTS' EXHIBITS :-

ANNEXURE A1 :- TRUE COPY OF JUDGMENT DATED 26.5.2015 IN WP(C)
No.15260/2015 PASSED BY THIS HON'BLE COURT.

RESPONDENT'S EXHIBITS :- NIL.

//TRUE COPY//

P.A. TO JUDGE

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

W.A. No.1331 of 2015

Dated this the 29th day of June 2015

J U D G M E N T

Ashok Bhushan, CJ

Heard.

2. The Punjab National Bank has filed this writ appeal against the order dated 1.6.2015 in I.A.No.7008 of 2015 in W.P.(C) No.12584 of 2014, which was disposed of by judgment dated 8.1.2015. The learned Single Judge, by the said order, directed that the petitioners shall pay ₹1,00,000/- within one month and another ₹1,00,000/- within next one month. The balance amount was directed to be paid either in lump sum or in six equal monthly instalments.

3. Learned counsel for the appellants submits that by the judgment dated 8.1.2015, the writ petition filed by the petitioners (respondents herein) was disposed of permitting the petitioners to pay off the entire amount in ten equal monthly instalments starting from 30.1.2015. For extension of time, I.A.No.7008 of 2015 was filed by the petitioners, which was disposed of with the direction as aforesaid.

4. Learned counsel for the appellant Bank submits that since there was already an order for payment in instalments, the learned Single Judge ought not to have granted liberty to the petitioners to pay either in lump sum or in six equal monthly instalments.

5. We have considered the submissions made by the parties and perused the records.

6. In so far as the extension of time granted by the learned Single Judge is concerned, we do not find any ground to interfere with that part of the order. However, the order of the learned Single Judge to the effect that the balance shall be paid either in lump sum or in six equal monthly instalments is modified to the effect that **“the balance shall be paid in six equal monthly instalments.”**

Accordingly, we dispose of the writ appeal modifying the order dated 1.6.2015 to the above extend.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE