

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WA.No. 1669 of 2015 () IN WP(C).556/2015

AGAINST THE ORDER/JUDGMENT IN WP(C) 556/2015 of HIGH COURT OF KERALA

APPELLANT(S)/WRIT PETITIONER:

K.G.SHINOJ AGED 29 YEARS
S/O.GOPI, M/S. THREE STAR TIMBERS, KOLLARA HOUSE
CHAKIARKADAVU, KODANNUR POST, THRISSUR PO
KOTTAYAM 686605

BY ADV. SMT.E.V.MOLY

RESPONDENT(S) :

UNION BANK OF INDIA
REPRESENTED BY ITS AUTHORIZED OFFICER, CHERPU BRANCH
THRISSUR 680001

BY SRI.A.S.P.KURUP, SC, UBI

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON
15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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

W.A. No. 1669 OF 2015

Dated this the 15th day of September, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the appellant and learned Standing Counsel appearing for the respondent Bank.

2. This writ appeal has been filed against the judgment dated 02.02.2015 by which the learned Single Judge disposed of W.P.(C) No.556 of 2015 filed by the petitioner, permitting the petitioner to pay the outstanding amount of Rs.25,76,308/- together with accrued interest in twelve equal and successive monthly installments commencing from 20.02.2015. Appellant's case is that pursuant to the direction of learned Single Judge he has deposited a total amount of Rs.13,05,000/- till July 2015 and he has remitted the installment of

August 2015 also. Learned counsel for the appellant submits that appellant is taking earnest efforts to comply with the order and the only indulgence prayed for is that the period is to be extended further by few months.

3. Learned counsel for the Bank submits that the appellant has not regularly paid the installments and sufficient indulgence was granted by learned Single Judge.

4. We have considered the submissions made by both the parties and have perused the records. Learned Single Judge has granted 12 months installments facility to clear off the entire outstanding which order need not be interfered. Learned counsel for the Bank has rightly submitted that in the normal circumstances appellant has to deposit the entire amount by 20.02.2016. We only observe that the appellant shall continue to pay the installments as directed by learned Single Judge and if there is any short fall in the payment of interest, accrued interest, it shall be

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open for the appellant to clear the balance amount by 30.03.2016.

With the aforesaid modification, the Writ Appeal is disposed of.

**Ashok Bhushan,
Chief Justice.**

**A.M. Shaffique,
Judge.**

ttb/15/09