

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&**

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WA.No. 2635 of 2015 ()

AGAINST THE JUDGMENT IN WP(C).NO.2096/2014 DATED 22-01-2014.

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APPELLANT(S):

**DILEEPAN. K.,
S/O.KUNJIRAMAN, UPASANA, CHETHADY,
MELILA VILLAGE, CHENGAMMANAD. P.O.,
KOTTARAKKARA, KOLLAM DISTRICT.**

BY ADV. SRI.B.MOHANLAL.

RESPONDENT(S):

- 1. THE AUTHORIZED OFFICER,
THE SYNDICATE BANK, REGIONAL OFFICE,
SASTHAMANGALAM. P.O., THIRUVANANTHAPURAM-695 010.**
- 2. THE BRANCH MANAGER,
THE SYNDICATE BANK, KOTTARAKARA BRANCH,
KOTTARAKKARA. P.O., KOLLAM-691 506.**

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

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE A1	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45078250006535.
ANNEXURE A2	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45071250000402.
ANNEXURE A3	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.4507171000011.
ANNEXURE A4	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45077220006805.
ANNEXURE A5	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45077210000885.
ANNEXURE A6	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45077510000698.
ANNEXURE A7	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45077510000679.
ANNEXURE A8	COPY OF THE ACCOUNT STATEMENT ISSUED BY THE RESPONDENT IN ACCOUNT NO.45078540000776.
ANNEXURE A9	COPY OF THE RECEIPT DATED 23/02/2015 ISSUED BY THE VILLAGE OFFICER, MELILA AND ITS ENGLISH TRANSLATION.
ANNEXURE A10	COPY OF THE RECEIPT DATED 11/09/2015 ISSUED BY THE VILLAGE OFFICER, MELILA AND ITS ENGLISH TRANSLATION.
ANNEXURE A11	COPY OF THE RECEIPT DATED 19/05/2015 ISSUED BY THE VILLAGE OFFICER, MELILA AND ITS ENGLISH TRANSLATION.
ANNEXURE A12	COPY OF THE RECEIPT DATED 22/06/2015 ISSUED BY THE VILLAGE OFFICER, MELILA AND ITS ENGLISH TRANSLATION.
ANNEXURE A13	COPY OF THE RECEIPT DATED 02/05/2015 ISSUED BY THE VILLAGE OFFICER, MELILA AND ITS ENGLISH TRANSLATION.
ANNEXURE A14	COPY OF THE REMITTANCES DATED 29/04/2015 AND 09/06/2015 TO THE RESPONDENTS.

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**ANNEXURE A15 COPY OF THE NOTICE DATED 17/11/2015 ISSUED BY THE
ADVOCATE COMMISSIONER AS PER THE ORDER OF THE
CHIEF JUDICIAL MAGISTRATE COURT, KOLLAM IN
CMP. NO.8946/2013.**

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

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

**W.A. No.2635 of 2015
and
C.M. Appln. No.1442 of 2015**

Dated this the 4th day of December 2015

J U D G M E N T

Shaffique, J.

C.M.Appln. No.1442 of 2015 is an application seeking to condone the delay of 648 days in filing the above writ appeal. It is stated in the affidavit filed in support of the above petition that the judgment was delivered on 22.1.2014, by which, the learned Single Judge had directed payment of overdue amount in four equal monthly instalments starting from 28.2.2014. Later, an application has been filed as I.A. No.6508 of 2014 seeking for extension of time, which was dismissed on 30.5.2014.

2. The petitioner submits that he was remitting the monthly instalments to the respondents, but on account of huge financial difficulties from January, 2015, the payment could not be made. Though such facts had been stated in the affidavit, no specific reason has been stated for condoning the delay in filing the writ appeal.

W.A. No.2635 of 2015 and
C.M. Appln. No.1442 of 2015

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3. We are of the view that sufficient cause has not been shown in the affidavit filed in support of the delay condonation petition for condoning the delay. Hence, the delay condonation petition is dismissed.

Consequently, the writ appeal is also dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt/5.12.2015.