

**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 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937**

**WA.No. 2682 of 2015 ()**  
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**AGAINST THE JUDGMENT IN WP(C) 35013/2015 DATED 19-11-2015**  
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**APPELLANT/PETITIONER :**  
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**SHAJI A.,  
S/O. ABDUL AZEEZ,  
SALEENA MANZIL, KOTTANKARA  
CHANDANATHOPE P.O., KOLLAM-691014.**

**BY ADV. SRI.O.D.SIVADAS**

**RESPONDENT/RESPONDENT :**  
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**INDUSIND BANK LTD.,  
RAMA BHAVAN, PARUTHELIPALAM, TOLL JUNCTION  
EDAPPALLY, KOCHI-682024 (VEHICLE FINANCE DIVISION)  
REPRESENTED BY AUTHORISED OFFICER.**

**BY ADV. SRI.G.HARIHARAN**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 14-12-2015,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**Mn**

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

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W.A. No. 2682 OF 2015  
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Dated this the 14<sup>th</sup> day of December, 2015

**JUDGMENT**

**Ashok Bhushan, C.J.**

This writ appeal has been filed against the judgment dated 19.11.2015 in W.P.(C) No. 35013 of 2015 by which the learned Single Judge has dismissed the writ petition filed by the appellant, seeking a direction to respondents to handover the possession of the two vehicles.

2. The appellant has earlier come to this Court by filing W.P.(C) No.9801 of 2015 which was disposed of with certain directions. Learned Single Judge noticing the aforesaid fact observed that the petitioner having not made the payment as per the earlier order, the writ petition cannot be entertained. Learned counsel for the appellant has disputed the fact that he has not complied with the order.

However, we are of the view that it is not necessary for us to enter into such issue. Learned counsel for the appellant submits that he is ready to settle the entire

outstanding liabilities of the Bank. It is open for the appellant to approach the Bank to obtain all the details and get the benefit of settlement, if any. We do not find any error in the judgment of learned Single Judge. Hence the Writ Appeal is dismissed subject to the observation made as above.

**Ashok Bhushan,  
Chief Justice.**

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