

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 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WA.No. 2739 of 2015

WPC.NO.7497/2015, DATED 7/12/2015

APPELLANT(S)/PETITIONER/APPELLANT:

**JAGAN MATHEW, S/O.LATE SRI.MATHEW M.,
MUNJANATTU HOUSE, BISHOP NAGAR AVENUE II,
OPP.APPOLLO TYRES GROUND, KALAMASSERY,
ERNAKULAM-683104.**

BY ADV. SRI.N.K.MOHANLAL

RESPONDENT(S)/RESPONDENT/RESPONDENT:

**AUTHORISED OFFICER,
CATHOLIC SYRIAN BANK LTD., DJM BUILDING,
P.B.NO.1154, MARKET ROAD, ERNAKULAM,
KOCHI-682011.**

BY SRI.C.A.JOY

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 18-12-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

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

W.A. No.2739 of 2015

Dated this the 18th day of December 2015

J U D G M E N T

Shaffique, J.

This writ appeal is filed against the order dated 7.12.2015 in I.A.No.17312 of 2015 in W.P.(C) No.7497 of 2015, by which, the learned Single Judge refused to grant further time to the petitioner to pay the overdue amount as the earlier application for the same purpose was dismissed as not pressed. The writ petition was decided on 26.3.2015, by which, the petitioner was granted time to pay the overdue amount in three equal and successive monthly instalments commencing from 31.3.2015. On such condition, the recovery steps were kept in abeyance also. The overdue amount as on that date was ₹9,36,000/-.

2. Learned counsel for the appellant submits that the appellant requires time till 31.12.2015 to repay the overdue amount.

3. Learned counsel for the Bank submits that the possession of the secured asset has not been taken so far.

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Having regard to the aforesaid factual situation, we are of the view that the time for repayment of the entire overdues can be extended upto 31.12.2015.

This writ appeal is disposed of as above.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
J U D G E

//True copy//

P.A. To Judge

Jvt/18.12.2015.