

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 984 of 2015 (W)

PETITIONER :

**T.R.SOMAN, AGED 46 YEARS, S/O.RAMAN,
REPRESENTED THROUGH HIS NEXT FRIEND WIFE SMT.GEETHA SOMAN,
SAJITH BHAVAN, NEDIYAKALA, ELAVUMTHITTA P.O.,
KOZHENCHERRY, PATHANAMTHITTA DIST., 689625.**

**BY ADVS.SRI.SINU.G.NATH
SRI.S.M.RAJEEVAN**

RESPONDENTS :

- 1. DEBT RECOVERY TRIBUNAL,
ERNAKULAM (KERALA AND LAKSHADWEEP),
HOUSING BOARD BUILDINGS, PANAMPALLY NAGAR, KOCHI
REPRESENTED THROUGH IT'S REGISTRAR.**
- 2. THE AUTHORISED OFFICER,
CHIEF MANAGER (ADVANCES), STATE BANK OF TRAVANCORE,
REGIONAL OFFICE, KIDARATHIL CHRIS TOWER, COLLEGE ROAD
PATHANAMTHITTA-689645.**
- 3. THR MANAGER
STATE BANK OF TRAVANCORE, MURUPPEL BLDGS.
ELAVINTHITTA BRANCH, ELAVINTHITTA P.O.,
PATHANAMTHITTA DIST., PIN 689625.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE MEDICAL CERTIFICATE DT.12.10.13.

EXHIBIT-P1(a): TRUE COPY OF THE MEDICAL CERTIFICATE DT.27.11.14.

EXHIBIT-P1(b): TRUE COPY OF THE MEDICAL CERTIFICATE DT.1.1.14.

EXHIBIT-P2: TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE
COMMISSION.

EXHIBIT-P3: TRUE COPY OF AFFIDAVIT ACCOMPANYING I.A.NO.1/15 FILED UNDER
SEC.5 OF LIMITATION ACT FILED BEFORE DRT, ERNAKULAM.

EXHIBIT-P3(a): TRUE COPY OF I.A.NO.1/15, THE PETITION FILED UNDER SEC.5 OF
LIMITATION ACT FILED BEFORE DRT, ERNAKULAM.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.984 OF 2015

Dated this the 14th day of January, 2015

J U D G M E N T

The petitioner who had filed an application, for condonation of delay in filing an appeal before the 1st respondent Tribunal, is aggrieved by the steps taken by the 3rd respondent bank under the Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, at a stage when the 1st respondent Tribunal has not yet considered Ext.P3 application preferred by him, for condonation of the delay of two days in filing the appeal.

2. I have heard Sri.Sinu G.Nath, the learned counsel for the petitioner and Sri.R.S.Kalkura, the learned Standing Counsel for the respondents.

3. On a consideration of the facts and circumstances of the case, I direct the 1st respondent Tribunal to consider and pass orders on Ext.P3 application filed by the petitioner for condonation of delay, within a period of two weeks from the date of receipt of a copy of this judgment. Further proceedings pursuant to Ext.P2 notice, issued at the instance of the respondent bank, shall be kept

in abeyance till such time as orders are passed by the 1st respondent Tribunal as directed above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

