

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 1766 of 2015 (U)

PETITIONER(S) :

JUMAILA AGED 45 YEARS
W/O.MUHAMMED M.V, THANNEERINGAL HOUSE,
VALLIKUNNU.P.O.
MALAPPURAM DISTRICT.

BY ADVS.SRI.M.T.BALAN
SRI.B.JAYABAL

RESPONDENT(S) :

THE MANAGER
MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.
PARAPPANANGADI BRANCH
MALAPPURAM DISTRICT. PIN-676 303.

BY ADV. SRI.ESM.KABEER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 19-01-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).No. 1766 of 2015 (U)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1- THE TRUE COPY OF THE RELEVANT PAGES OF
THE PASS BOOK PROVING THE DEPOSIT.

P2- THE TRUE COPY OF THE DEMAND NOTICE DATED
19.05.14 ISSUED BY THE RESPONDENT.

P3- THE TRUE COPY OF THE PAY-IN-SLIP OF THE
RESPONDENT BANK DATED 18.07.14 SHOWING
REMITTANCE FOR AN AMOUNT OF RS 1 LAKH.

P4- THE TRUE COPY OF THE JUDGEMENT DATED
20.8.14 IN WPC 15685 OF 2014.

P5- THE TRUE COPY OF THE NOTICE DATED 13.9.14
ISSUED BY THE RESPONDENT TO THE PETITIONER.

P6- THE TRUE COPY OF THE PAY-IN-SLIP DATED
12.07.14 OF THE RESPONDENT BANK SHOWING
REMITTANCE FOR AN AMOUNT OF RS. 1,21,444/-

A.M.SHAFIQUE, J.

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W.P. (C) No. 1766 of 2015 – U
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Dated this the 19th day of January, 2015

JUDGMENT

Petitioner has approached this Court challenging Ext. P5 statement given by the bank calling upon the petitioner to remit the instalments as computed by them pursuant to the directions issued by this Court in the judgment dated 20-08-2014 in W.P.C. No. 15685/2014.

2. According to the learned counsel appearing for the petitioner, the amounts shown in Ext. P5 is totally incorrect as the same has been computed without referring to the payments made by her husband.

3. If there is any dispute regarding payment, it is for the petitioner to take up the matter before the Bank and if they do not

agree, at the time when proceedings are initiated against the petitioner under the SARFEASI Act, the petitioner can file appropriate applications under Sec. 17 of the SARFEASI Act. This Court cannot sit in judgment over the statement of accounts prepared by the Bank in this proceedings.

Accordingly, this Writ Petition is dismissed.

A.M.SHAFFIQUE,
JUDGE

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