

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 2310 of 2015 (K)

PETITIONER:

**M.SHAMBHAVI, AGED 58 YEARS
W/O.VISWANATHA RAI, R/AT MOTTAKUNJE (H)
KUMBADJE VILLAGE AND POST, KASARAGOD DISTRICT.**

BY ADV. SRI.KODOTH SREEDHARAN

RESPONDENTS:

- 1. THE SECRETARY
THE KASARAGOD PRIMARY CO-OPERATIVE AGRICULTURAL & RURAL
DEVELOPMENT BANK LTD NO.FF.113.
KASARAGOD - 671 121.**
- 2. JOINT REGISTRAR OF CO-OPERATIVE SOCITIES,
KASARAGOD, KASARAGOD DISTRICT - 671 322.**
- 3. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM - 695 001**

**R1 BY SRI.PUSHPARAJAN KODOTH
R2 & R3 BY SR. GOVERNMENT PLEADER SRI. S. JAMAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 2310 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE DEMAND NOTICE DATED 15/12/2014 BY THE 1ST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 2310 OF 2015

Dated this the 22nd day of January, 2015

JUDGMENT

The first respondent bank points out that the benefit of the Debts Relief Scheme has already been extended to the petitioner to the tune of Rs. 87,000/-. The bank also contends that a further sum of Rs. 4,43,537/- is due from the petitioner as on 26.11.2014. The petitioner has a case that she is entitled to further waiver under the Debt Relief Scheme.

2. The balance amount due shall be paid by the petitioner to the first respondent bank in ten equal monthly instalments. The instalments shall start from 16.02.2015 and shall continue uninterrupted. The bank is entitled to resort to coercive steps if any one instalment is defaulted by the petitioner.

3. Nothing said herein above will disable the petitioner from filing a representation to the first respondent bank seeking further relief if any under the Debt Relief Scheme.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS