

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No. 4554 of 2015 (T)

PETITIONER(S):

**IRSHAD A.D., S/O. ABDUL KAREEM,
MOONAYYATHU, THEKKATHIL,
KEERIKAD P.O., PIN-690 508.**

BY ADV. SMT.E.V.MOLY.

RESPONDENT(S):

- 1. CORPORATION BANK,
MUTHUKULAM BRANCH, PANDAVARKAVU JUNCTION,
MUTHUKULAM P.O., REPRESENTED BY ITS MANAGER.**
- 2. CORPORATION BANK ,
MUTHUKULAM BRANCH, PANDAVARKAVU JUNCTION,
MUTHUKULAM P.O., REPRESENTED BY ITS
AUTHORIZED OFFICER.**

BY ADV. SRI.N.RAJENDRAN, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 4554 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS:-

**P1 : COPY OF THE ACCOUNT STATEMENT LOAN ACCOUNT
NO.PM ECC/01/100002.**

**P2 : COPY OF THE ACCOUNT STATEMENT LOAN ACCOUNT
NO.PM EGP/01/100004.**

P3 : COPY OF THE POSSESSION NOTICE DTD. 28.01.2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

W.P.(C). No. 4554 of 2015

Dated this the 25th day of June, 2015

J U D G M E N T

The petitioner availed two loans from the responded Bank. One is an overdraft facility and other is a term loan. The total overdue amount in both loan accounts is ₹2,28,344/- and the total liability is more than ₹8 lakhs.

2. On 25.05.2015, this Court directed the petitioner to deposit ₹1 lakh within 3 weeks. However it seems that the petitioner has not deposited any amount.

3. Taking into the facts and circumstances, I am of the view that, if the petitioner has any grievance against the SARFAESI proceedings, the petitioner is free to approach the DRT. However, if the petitioner clears the entire overdue amount in two monthly instalments starting from 10.07.2015, the Bank shall give sufficient time to the petitioner to clear the entire liability at least for a further period of four months thereafter.

The writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.