

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 4947 of 2015 (P)

PETITIONER:

ALIYAMMA THOMAS, AGED 77 YEARS,
W/O. THOMAS, PULICKAL HOUSE,
PAZHOOOR KARA, PIRAVOM P.O., PIN- 686 664.

BY ADVS. SRI. M. M. MONAYE
SRI. M. PAUL VARGHESE

RESPONDENTS:

1. SENIOR INSPECTOR/SPECIAL SALE OFFICER,
ERNAKULAM DISTRICT CO-OPERATIVE BANK LTD.,
KAKKANAD, KOCHI - 682 030.
2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
ERNAKULAM, CIVIL STATION, KAKKANAD, KOCHI - 682 030.
3. REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION,
THIRUVANANTHAPURAM - 695 001.
4. ERNAKULAM DISTRICT CO-OPERATIVE BANK LTD.,
KAKKANAD, KOCHI - 682030,
REPRESENTED BY ITS GENERAL MANAGER.

BY STANDING COUNSEL SMT. I. SHEELA DEVI
BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE AWARD DATED 02/05/2013 IN ARC NO. 240/2012.
- EXHIBIT P2 - TRUE COPY OF THE PROCLAMATION OF SALE DATED 09/01/2015 BY THE 1ST RESPONDENT AFFIXED ON THE PREMISES OF THE PETITIONER.
- EXHIBIT P3 - TRUE COPY OF THE CIRCULAR NO. 5/2015 DATED 22/01/2015
- EXHIBIT P4 - TRUE COPY OF THE SAID REPRESENTATION DATED 05/02/2015 SUBMITTED BY THE PETITIONER.

RESPONDENT(S)' EXHIBITS

V. CHITAMBARESH, J

WP(C) NO. 4947 OF 2015

Dated this the 19th day of February, 2015

JUDGMENT

The fourth respondent bank has obtained an award against the petitioner and others in ARC No. 240/2012. The award is put into execution and the sale is slated on 26.02.2015. The petitioner has now filed Ext.P4 representation seeking the benefit of 'Ashwas-2015' scheme. The contention of the petitioner is that substantial portion of the interest would be waived and instalment facilities granted if the benefits of the scheme are extended.

2. I direct the fourth respondent to consider Ext.P4 representation filed for extending the benefits of 'Ashwas-2015' scheme. The same shall be done with notice to the petitioner with all expedition. Every endeavour shall be made to pass final orders on Ext.P4 representation on or before 25.02.2015. The possibility of granting extension of time to pay the dues that too in instalments shall be explored to avert the sale.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**