

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 5337 of 2015 (N)

PETITIONER:

P.J. CHACKO, AGED 52 YEARS, S/O. JOHN,
PANDARAKUDIYIL (CHERUKATTUPARAMBIL),
PIRAVOM KARA, PIRAVOM VILLAGE,
MUVATTUPUZHA TALUK 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 PIN 695 601.
4. ERNAKULAM DISTRICT CO-OPERATIVE BANK LTD.,
KAKKANAD, KOCHI - 682 030, REPRESENTED BY
ITS GENERAL MANAGER.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB
BY SMT. I. SHEELA DEVI, SC, ERNAKULAM DIST. CO. OP. BANK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-02-2015,
ALONG WITH WP(C) NOS. 5355/2015, 5367/2015 & 5368/2015 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 : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

**WP(C) NOs. 5337, 5355,
5367 & 5368 OF 2015**

Dated this the 20th day of February, 2015

JUDGMENT

The petitioners in these writ petitions belong to one and the same family. They have availed separate cash credit from the fourth respondent bank. The property mortgaged has now been proclaimed for sale on 26.02.2015.

2. The petitioners have filed Ext.P4 representations to the fourth respondent bank. The benefit of the 'Ashwas-2015' scheme has been sought therein. The petitioners contend that interest would be waived if the benefit is extended.

3. I consider the fourth respondent bank to consider Ext.P4 representations with notice to the petitioners. The same shall be done on or before 25.02.2015 in the circumstances.

4. The possibility of waiving interest and granting larger time to avert the sale shall be explored by the bank in all the cases.

The Writ Petitions are disposed of.

**V. CHITAMBARESH
JUDGE**