

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 9763 of 2015 (U)

PETITIONER(S):

**K. CHITHRANGATHAN,
PADINHARAYIL KUNHEENTEKATHU HOUSE,
PUTHIYANIRATH, ELATHUR P.O., KOZHIKODE - 673 303.**

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENT(S):

**SUNDARAM BNP PARIBAS HOME FINANCE,
2ND FLOOR, BMT CENTRE, MINI BYE-PASS ROAD,
PUTHIYARA P.O.,
KOZHIKODE - 673 004, REPRESENTED BY ITS
MANAGER/AUTHORIZED OFFICER.**

BY ADV. SRI.VARGHESE C.KURIAKOSE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 9763 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: TRUE COPY OF THE LOAN DISBURSEMENT MEMO DATED 27.2.2012 ISSUED
BY THE RESPONDENT**

**EXT.P-2: TRUE COPIES OF THE RECEIPTS ISSUED BY THE RESPONDENT TO THE
PETITIONER (32 NUMBERS)**

**EXT.P-3: TRUE COPY OF THE POSSESSION NOTICE DATED 17.3.2015 ISSUED BY THE
RESPONDENT**

**EXT.P-4: TRUE COPY OF THE ACCOUNT STATEMENT OF THE LOAN ACCOUNT
NO.71000857**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 9763 of 2015

Dated this the 20th day of November, 2015

JUDGMENT

The petitioner had approached this Court through the present writ petition, aggrieved by the steps taken by the respondent Company for recovery of the defaulted loan amounts. It is the case of the petitioner in the writ petition that, he has made arrangements for settling the entire outstanding loan amount with the respondent, and the limited prayer in the writ petition is for keeping in abeyance the present steps initiated by the respondent Company, so as to enable the petitioner to remit the monthly installments, after regularising the account. When the matter was taken up for orders today, the learned counsel for the respondent Company submits that the account of the petitioner with the respondent Company has since been regularised through payments made by the petitioner and therefore, the recovery proceedings that were initiated are not being pursued as of now. It is also pointed out by the learned Standing Counsel for the respondent Company that the petitioner has since filed an application before the respondent, seeking the benefit of an OTS scheme, that is currently in vogue. It is submitted that the said application preferred by the petitioner will be considered by the respondent Company within one month from today. Recording the said

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submissions of counsel for the respondent Company, this writ petition is closed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /20.11.15