

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K. NARENDRA

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

WP(C).No. 14536 of 2009 (J)

TA 1381/1997 of DEBT RECOVERY TRIBUNAL, ERNAKULAM DATED 08-03-2004

PETITIONERS:

1. SMT. PRAPHULLA SHENOI, AGED 65 YEARS,
W/O. GOPALAKRISHNA SHENOI, RESIDING AT VIII/556
"P.SADANAM", 1ST FLOOR, CTTU LANE
NEAR TOWN HALL, MATTANCHERRY VILLAGE
ERNAKULAM 682 002.
2. SRI. GOPALAKRISHNA SHENOY, AGED 70 YEARS,
RESIDING AT VIII/556, "P.SADANAM", 1ST FLOOR
CTTU LANE, NEAR TOWN HALL, MATTANCHERRY VILLAGE
ERNAKULAM 682 002.
3. M/S. SHENOY REAL ESTATE PVT. LTD., 101,
MEENAXI APARTMENTS, 4/1-2-3, MAIN STREET
BANGALORE-560001, REPRESENTED BY ITS
MANAGING DIRECTOR, MRS. PRAPHULLA SHENOI.

BY ADVS. SRI. SATISH MURTI
SMT. M. UMA DEVI

RESPONDENTS:

1. THE DEBT RECOVERY APPELLATE TRIBUNAL,
SPENCER TOWERS, CHENNAI.
2. THE DEBT RECOVERY TRIBUNAL, KERALA AND
LAKSHWADEEP, KERALA STATE HOUSING BOARD BUILDING
PANAMPILLY NAGAR, ERNAKULAM.
3. CANARA BANK MATTANCHERRY BRANCH,
COCHIN-2.
4. THE RECOVERY OFFICER, DEBT RECOVERY
TRIBUNAL, KERALA AND LAKSHWADEEP, KERALA STATE
HOUSING BOARD BUILDING, PANAMPILLY NAGAR, ERNAKULAM.
5. SMT. PREMILA B. RAO, W/O. DECEASED
S.B. RAO, GARDEN COURT APARTMENTS, ALINCHUVADU
KAKKANAD, ERNAKULAM.

R3 BY ADV. SMT. SHAHNA KARTHIKEYAN
SRI. V.B. HARI NARAYAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC.14536/09

PETITIONER'S EXTs:

- EXT.P1: COPY OF JUDGMENT DT.9.2.97 IN CRP NO.1263/93.
- EXT.P2: COPY OF JUDGMENT DT.8.3.04 IN T.A.1381/97.
- EXT.P3: COPY OF APPEALS -U.R.A.34/2004, 35/2004 AND M.A.4/2005.
- EXT.P4: COPY OF I.A.N.2/2004 IN U.R.A.34/2004 AND 35/2004.
- EXT.P5: COPY OF ORDER IN I.A.2/2004 IN U.R.A.34/2004 AND 35/2004.
- EXT.P6: COPY OF REVIEW APPLICATIONS – SR NO.1103/2007 AND 1104/2007.
- EXT.P7: ORIGINAL COMMON ORDER DT.26.9.07 IN URA.34/2004, 35/2004 AND M.A.4/2005.
- EXT.P8: COPY OF I.P.NO.3/2008
- EXT.P9: COPY OF REPRESENTATION FOR SETTLEMENT DT.6.5.2009.

RESPONDENTS' EXTs:

- EXT.R3A: TRUE COPY OF JUDGMENT DT.17.7.2007 IN WPC.16469/2006 OF THIS COURT.

TRUE COPY

P.S.TO JUDGE

dsn

ANIL K.NARENDRA, J

W.P.(C)No.14536 of 2009

DATED THIS THE 19th DAY OF JUNE, 2015

JUDGMENT

Today when the case was taken up for final hearing, there is no representation for the petitioners. The learned Standing Counsel for the 3rd respondent-Bank submitted that the matter has already been settled between the petitioners and the 3rd respondent-Bank and that the Bank has already realised the amount due from the petitioners.

In such circumstances, recording the aforesaid submission made by the learned Standing Counsel for the 3rd respondent-Bank, this Writ Petition is dismissed.

Sd/-

ANIL K.NARENDRA, JUDGE

dsn