

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WP(C).No. 10593 of 2014 (Y)

PETITIONER(S):

**V.K. FRANCIS, AGED 44 YEARS
S/O V.D.KOCHAPPU, VADAKKAN HOUSE
ANTHIKKAD PO, THRISSUR DISTRICT - 680 641**

BY ADV. SRI.N.M.MADHU

RESPONDENT(S):

- 1. CATHOLIC SYRIAN BANK LTD.
REPRESENTED BY ITS MANAGER,
ZONAL OFFICE, THRISSUR - 680 020**
- 2. THE AUTHORIZED OFFICER,
CATHOLIC SYRIAN BANK LIMITED
ZONAL OFFICE, THRISSUR - 680 020**

BY SRI.R.S.KALKURA, STANDING COUNSEL, BANK

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-10-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JV

ANIL K. NARENDRA, J.

W.P.(C) No.10593 of 2014

Dated this the 09th day of October, 2015

JUDGMENT

The petitioner, who availed a business loan from the 1st respondent Bank to the tune of Rs.25 lakhs has filed this writ petition seeking a writ of certiorari to quash Ext.P1 possession notice issued by the 2nd respondent and seeking a writ of mandamus commanding the respondents to allow him to repay the loan amount outstanding as per the original sanction.

2. On 09.04.2014, when this writ petition came up for admission, the learned Standing Counsel for the 1st respondent Bank submitted that the security asset has already been sold to the Asset Reconstruction Company. Therefore, the learned counsel for the petitioner sought time to implead the said company in the party array and the matter was adjourned.

3. Today, when the case was taken up for further consideration, the learned counsel for the petitioner would submit that till date, the Asset Reconstruction Company has not initiated any steps against the petitioner. In such circumstances,

the petitioner may be permitted to withdraw the writ petition without prejudice to his right to approach this Court again in case any proceedings are initiated by the Asset Reconstruction Company.

Recording the aforesaid submission made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn reserving the right of the petitioner as aforesaid.

SD/-
ANIL K. NARENDRAN,
JUDGE

JV