

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

WP(C).No. 11346 of 2015 (P)

PETITIONER :

**GEORGE P. TENNISON
S/O. V.G.CLEETUS, AGED 56 YEARS
RESIDING AT VELLAPPANATT, THAIKKAL P.O.
CHERTHALA, ALAPPUZHA DISTRICT-688 530.**

BY ADV. SRI.N.RADHAKRISHNAN

RESPONDENT(S) :

- 1. THE AUTHORISED OFFICER
STATE BANK OF INDIA, REGIONAL BUSINESS OFFICE
BANK HOUSE, BEACH ROAD, ALAPPUZHA -688 012.**
- 2. THE MANAGER
STATE BANK OF INDIA,
ARTHUNGAL BRANCH, CHERTHALA
ALAPPUZHA DISTRICT.**

R1 & R2 BY ADV. SRI.R.S.KALKURA, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 11346 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1 TRUE COPY OF THE NOTICE DATED 8.1.2015.

**EXT.P2 TRUE COPY OF THE POSSESSION NOTICE DATED 27.3.2015 BY THE
AUTHORISED OFFICER, STATE BANK OF INDIA.**

RESPONDENT(S)' EXHIBITS :

**EXT. R2(a) COPY OF THE AGREEMENT OF LOAN DATED 24.8.2007 JOINTLY
EXECUTED BY THE PETITIONER AND HIS SON JITHU GEORGE IN
FAVOUR OF THE BANK.**

**EXT. R2(b) COPY OF THE FEES STRUCTURE OF M/S. CHENNAI SCHOOL OF SHIP
MANAGEMENT SUBMITTED BY THE PETITIONER BEFORE THE
RESPONDENT BANK.**

**EXT. R2(c) COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEEDS
EXECUTED BY THE PETITIONER IN FAVOUR OF THE BANK DATED
25.8.2007.**

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.11346 of 2015

Dated this the 1st day of June, 2015

JUDGMENT

The petitioner's son has obtained an educational loan for studying Marine Engineering Course. The petitioner has approached this Court impugning SARFAESI proceedings. The petitioner submits that his son could not get the expected job. The petitioner seeks six months time to pay off the entire liability.

2. In this matter, a counter affidavit has been filed by the respondents. It is stated that more than Rs.8 lakhs is overdue and the total liability is more than Rs.14 lakhs.

I am of the view, the petitioner should be given some breathing time to pay off the entire liability. Therefore, the petitioner is given four months time to pay off the entire liability. If the petitioner fails to clear the entire liability

within the four months time given, the Bank is at liberty to proceed against the petitioner's property from the stage where it is stopped. Till the period of four months, no coercive steps shall be taken against the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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