

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 12679 of 2015 (H)

PETITIONER(S):

- 1. ABDUL RAHIMAN,
S/O.LATE MOHAMMED, BEEFATHIMA MANZIL, 10TH MILE,
UDYAVARA, MANJESHWAR, KASARAGOD-671 323.**
- 2. MRS.FATHIMA SABEENA,
W/O.ABDUL RAHIMAN, BEEFATHIMA MANZIL, 10TH MILE,
UDYAVARA, MANJESHWAR, KASARAGOD-671 323.**

BY ADV. SRI.K.PRAVEEN KUMAR

RESPONDENT(S):

- 1. MANIPAL HOUSING FINANCE SYNDICATE LIMITED,
REGISTERED OFFICE, "MANIPAL HOUSE", MANIPAL,
KARNATAKA-576 104,
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 2. THE AUTHORISED OFFICER,
MANIPAL HOUSING FINANCE SYNDICATE LIMITED,
REGISTERED OFFICE, "MANIPAL HOUSE", MANIPAL,
KARNATAKA-576 104.**

BY ADV. SRI.T.RAJESH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 12679 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT. P1- TRUE COPY OF THE NOTICE DATED 12.11.13 ISSUED BY THE RESPONDENTS
TO THE PETITIONERS.**

EXT. P2- TRUE COPY OF THE ORDER IN C.M.P.NO.6375/14 OF CJM, KASARAGOD.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.12679 of 2015

Dated this the 9th day of June, 2015

JUDGMENT

Petitioners have approached this Court impugning SARFAESI proceedings. The petitioners defaulted in repayment of loan amount.

2. Learned counsel for the Bank would submit that total overdue amount is Rs.1.5 lakhs and the liability is more than Rs.15 lakhs.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

1. The petitioners shall remit Rs.50,000/- on or before 30.6.2015.
2. Thereafter, the petitioners pay the balance overdue amount in six monthly instalments along with regular EMI.
3. If the petitioners clear the entire overdue amount and also regular EMI as ordered by this Court within the time indicated as above, account shall be regularized.
4. If the petitioners commit default in any of the conditions as above, the respondents are at liberty to proceed against the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE