

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 12989 of 2014 (W)

PETITIONERS:

1. ROUT TECHNOLOGIES,
43/1884, IIND FLOOR, EMAS BUILDING,
KOZHIKODE – 673 001,
REPRESENTED BY ITS SOLE PROPRIETOR SABEEL A.H.
2. SABEEL A.H, AGED 33 YEARS,
S/O.ABDU RAHIMAN, SAFA MANZIL,
VADIKKAL PARAPPANPOYIL P.O., KOZHIKODE – 673 573.
3. P.P SULAIMAN, AGED 52 YEARS,
S/O.MUHAMMED HAJI, AVILORA P.O., VIA KODUVALLY,
KOZHIKODE – 673 572.

BY ADV. SRI.P.JJOSEPH PANIKKASSERY

RESPONDENTS:

1. AUTHORISED OFFICER, STATE BANK OF INDIA,
RASMECCC, KALLAI HEIGHTS, KALLAI ROAD,
KOZHIKODE – 673 003.
2. CHIEF SECRETARY TO GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM – 695 001.

BY GOVERNMENT PLEADER SRI.V.K.RAFEEQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12989 of 2014 (W)

APPENDIX

PETITIONERS' EXHIBITS :-

EXHIBIT P1 : TRUE PHOTOSTAT COPY OF POSSESSION NOTICE DATED 17.02.2014
ISSUED BY THE AUTHORISED OFFICER OF THE 1ST RESPONDENT

EXHIBIT P2 : TRUE PHOTOSTAT COPY OF THE NOTICE DATED 03.05.2014.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.12989 of 2014

Dated this the 6th day of October, 2015

JUDGMENT

The 1st and the 2nd petitioners availed a cash credit facility for ₹20,00,000/- from Kallai Branch of State Bank of India with Account No.CC32332325720 in which the 3rd petitioner stood as a guarantor. The petitioners have filed this writ petition seeking a stay of the proceedings initiated by the Advocate Commissioner pursuant to Ext.P2 notice in C.M.P.No.475 of 2014 on the file of the Chief Judicial Magistrate Court, Kozhikode and seeking an order directing the authorised officer of the 1st respondent Bank to grant them one month's time to settle the loan account.

2. By order dated 22.5.2014 this Court granted an interim stay of proceedings as per Ext.P2 for a period of one month on condition of the petitioners depositing ₹2,00,000/- within a week from that date. Thereafter the writ petition was never brought up for extending the aforesaid interim order.

3. Today when the case was taken up for further consideration none appeared for the petitioners.

Since the main relief sought for in this writ petition is only to direct the authorised officer of the 1st respondent Bank to grant the petitioners one month's time to settle the loan account, nothing survives in this writ petition.

In the result, this writ petition fails and the same is dismissed.

Sd/-

ANIL K.NARENDRAN, JUDGE

skj

True copy

P.A to Judge