

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 12937 of 2015 (N)

PETITIONER(S):

**A.SAIMON, AGED 55 YEARS,
S/O. ACHUTHAN, R.R. BHUVAN, MUNDAVANKUNNU,
NEYYAR DAM P.O., THIRUVANANTHAPURAM - 695 572.**

BY ADV. SRI.T.H.ABDUL AZEEZ

RESPONDENT(S):

- 1. KERALA STATE CO-OPERATIVE BANK LTD.,
STATUE BRANCH, REPRESENTED BY ITS MANAGER,
K.S.C.B LIMITED, STATUE, THIRUVANANTHAPURAM - 695 001.**
- 2. THE AUTHORISED OFFICER,
KERALA STATE CO-OPERATIVE BANK LIMITED,
REGIONAL OFFICE, STATE CO-OPERATIVE BUILDING,
OVER BRIDGE JUNCTION, THIRUVANANTHAPURAM -695 001.**

**R1 BY SRI.GEORGE POONTHOTTAM, SC
R2 BY GOVERNMENT PLEADER SRI.R.RANJITH**

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

msv/

WP(C).No. 12937 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE RECEIPTS ISSUED BY THE 1ST RESPONDENT.

**EXHIBIT-P2-TRUE COPY OF THE NOTICE DATED 17/04/2015 ISSUED BY THE
2ND RESPONDENT.**

**EXHIBIT-P3-TRUE COPY OF THE REPRESENTATION ON 18/04/2015 SUBMITTED
BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A.MUHAMED MUSTAQUE, J.

W.P.(C)) No.12937 of 2015

Dated this the 10th day of June, 2015

JUDGMENT

The petitioner challenges SARFAESI proceedings. The petitioner was unable to pay the amount, the Bank initiated SARFAESI proceedings. This Court by interim order dated 24.4.2015, directed the petitioner to remit Rs.40,000/- within two weeks and a further sum of Rs.40,000/- within two weeks thereafter. The petitioner filed Interlocutory application before this Court for extension of time. This Court granted one month time from 25.5.2015 to pay the amount. The petitioner submits that he is prepared to discharge the entire liability to the Bank if sufficient time is given. The petitioner also submits that he is also prepared to clear the overdue amount and regularise the loan account.

2. If the petitioner has already paid Rs.45,000/-, on payment of Rs.40,000/- on or before 25.6.2015, the petitioner shall be given three months further time to clear the entire liability. However, the Bank shall consider the petitioner's request for regularisation if the petitioner clears the entire overdue amount within the time indicated above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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