IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 13084 of 2015 (I)

PETITIONER(S):

NANDINI S.,
AKKARAVILA HOUSE, CHELLAMANGALAM,
(ULIYAZHATHURA)
THIRUVANANTHAPURAM-695 029.

BY ADVS.SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.P.RAJENDRAN NAIR.

RESPONDENT(S):

1. CHIEF MANAGER/AUTHORISED OFFICER,
   REGIONAL OFFICE, UNION BANK OF INDIA,
   UNION BANK BHAVAN, M.G.ROAD, STATUE,
   THIRUVANANTHAPURAM-695 001.

2. BRANCH MANAGER,
   UNION BANK OF INDIA, ATTIPRA BRANCH,
   THIRUVANANTHAPURAM-695 001.

BY SRI.A.S.P.KURUP, SC, UBI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT-P1: TURE COPY OF DISABILITY CERTIFICATE ISSUED BY THE MEDICAL BOARD.

EXHIBIT-P2: TRUE COPY OF THE LETTER ISSUED BY THE ADVOCATE COMMISSIONER DT.08.04.2015.

RESPONDENT(S)' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 13084 of 2015

Dated this the 26th day of May,2015

J U D G M E N T

The petitioner availed a housing loan of Rs.2,00,000/-. from the Attipra branch of Union Bank of India, Thiruvananthapuram. The petitioner committed default in repaying the loan. It is submitted by the learned counsel for the bank that as on May 2015, there is an over due amount of Rs.75,000/- and the total outstanding due is more than Rs.2,30,000/-. The petitioner submits that it is on account of the treatment of her daughter, she is unable to pay the amount.

2. The learned Standing Counsel for the bank opposes the prayer of the petitioner and submits that no extension of time can be granted to the petitioner for repaying the loan.

3. Considering the facts and circumstances, I am of the view that the petitioner shall be given a breathing time to clear the entire dues. Accordingly following directions

are issued:

i) The petitioner shall pay the over dues as on the month of May 2015 along with the regular EMI in six equal instalments starting from the June 2015.

ii) If the petitioner clears the entire over dues within the time as indicated above,, the petitioner's Account shall be regularised.

ii) If the petitioner commits default in paying the over dues as above, along with regular EMI consecutively for two months, the respondent bank is at liberty to proceed against petitioner. To workout the above directions, the bank shall not proceed against the petitioner.

The writ petition is disposed of as above.

Sd/

A.MUHAMED MUSTAQUE,
JUDGE

jm/