

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

WP(C).No. 13215 of 2015 (B)

PETITIONER :

**NIZAR.K, AGED 45 YEARS,
S/O.KOYAKUTTY, EDAYILA PARAMBIL,
PALLIKANAKKU, KAYAMKULAM, ALAPPUZHA.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S):

- 1. THE AUTHORIZED OFFICER, BANK OF BARODA,
MAIN ROAD, MAVELIKKARA BRANCH, MAVELIKKARA.**
- 2. THE BRANCH MANAGER,
BANK OF BARODA, MAIN ROAD, MAVELIKKARA BRANCH,
MAVELIKKARA.**

**BY ADVS. SRI.DEVAN RAMACHANDRAN
SRI.K.M.ANEESH
SRI.K.SANTHOSH KUMAR (KALIYANAM)
SRI.ADARSH KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

WP(C).No. 13215 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:- COPY OF THE NOTICE U/S 13(4) OF NOTICE

P2:- COPY OF THE NOTICE ISSUED BY THE COMMISSIONER.

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.13215/2015**  
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Dated this the 12th Day of June, 2015

J U D G M E N T

The petitioner challenges SARFAESI proceedings. He failed to remit interest and pay the instalment amount in time and consequently, SARFAESI proceedings are initiated. The only relief now sought for is to permit the petitioner to wipe off the entire liability.

2. Considering the facts and circumstances, the following orders are issued:

i. The petitioner shall remit Rs.50,000/- (Rupees fifty thousand only) on or before 25/06/2015.

ii. On remittance as above, he shall be permitted to pay the entire balance amount in ten monthly instalments starting from 20/07/2015.

W.P.(C).No.13215/2015

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iii. If the petitioner commits default in paying any of the instalment amount, the Bank is at liberty to proceed against him in accordance with law.

The writ petition is disposed of as above. No costs.

**Sd/-
A.MUHAMED MUSTAQUE, JUDGE**

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