**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937**

**WP(C).No. 13857 of 2015 (F)**
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**PETITIONER :**
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**MOHAMMED, AGED 50 YEARS,**
**S/O.KUNHALIKUTTY, IYAMPARAMBATH HOUSE,**
**NARIKKUNI (PO), KOZHIKODE DISTRICT**

**BY ADVS.SRI.R.BINDU (SASTHAMANGALAM)**
**SRI.PRASANTH M.P**

**RESPONDENTS :**
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1. **AUTHORISED OFFICER,**
   **KERALA GRAMIN BANK, REGIONAL OFFICE,**
   **KOZHIKODE PIN -**

2. **THE KERALA GRAMIN BANK**
   **NARIKKUNI BRANCH, NARIKKUNI (PO), KOZHIKODE DISTRICT**
   **PIN - REPRESENTED BY ITS BRANCH MANAGER**

**BY ADV. SRI.T.R.RAVI, SC, S.MALABAR G. BANK**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**bp**

WP(C).No. 13857 of 2015 (F)
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**APPENDIX**

PETITIONER(S)' EXHIBITS
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P1: TRUE COPY OF THE ORDER PASSED BY THE CHIEF JUDICIAL MAGISTRATE COURT, KOZHIKODE IN CMP.NO.2173/2014 DATED 12.03.2015

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

**A.MUHAMED MUSTAQUE, J.**

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W.P.(C).No.13857 of 2015

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Dated this the 23rd day of July, 2015

**J U D G M E N T**

The petitioner availed a KCC loan and another GPLNP loan form the respondent Bank. On account of default in repaying the installments, the Bank initiated 'SARFAESI' proceedings against the petitioner. The same is under challenge in this writ petition.

2. The learned Standing Counsel for the petitioner submits that, the total liability in respect of the KCC loan as on today is around ₹65,000/- and in respect of the other loan is around ₹ 8,50,000/-.

3. The petitioner submits that, he is prepared to clear the KCC loan and the Bank may be directed to grant installment facility to clear the General Purpose Loan.

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

1. The petitioner shall remit the entire amount due under KCC loan within a period of one month from today.
2. Thereafter, the petitioner shall remit an amount of ₹50,000/- (Rupees Fifty thousand only) continuously for a period of eight months from the succeeding month onwards.
3. Thereafter in the following month, the petitioner shall clear the entire liability in lumpsum.

4. If the petitioner fails to honour any of the conditions stipulated above, the Bank is free to proceed against the petitioner.

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

AV