

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 14381 of 2015 (W)

PETITIONER :

**MANUAL JOSEPH, AGED 40 YEARS,
S/O.ANTONY, PUTHENVEETIL, CHEMPUMUKKU,
KAKKANAD, KOCHI-31.**

BY ADV. SRI.N.K.MOHANLAL

RESPONDENT :

**AUTHORISED OFFICER,
PUNJAB NATIONAL BANK,
RETAIL ASSET BRANCH, 1ST FLOOR, MARKET ROAD,
40/1461, ERNAKULAM-682 011.**

BY ADV. SRI.SANTHEEP ANKARATH, SC, PUNJAB NATIONAL BANK

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 14381 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1. A NOTICE DATED 18/12/2014 UNDER SECTION 13(2) OF SARFAESI ACT.**
- P2. TRUE COPY OF OBJECTION DATED 30/1/2015.**
- P3. TRUE COPY OF THE JUDGMENT IN WPC NO.21279/2014 OF THE HON'BLE HIGH COURT OF KERALA, DATED 20/8/2014.**

RESPONDENT(S)' EXHIBITS AND ANNEXURES:

ANNEX R1 COPY OF THE LETTER SUBMITTED BY THE WRIT PETITIONER TO THE RESPONDENT DATED 6/5/2015.

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.14381 of 2015

Dated this the 5th day of June, 2015

JUDGMENT

The petitioner defaulted in repaying the loan amount, the respondent Bank initiated SARFAESI proceedings. Thereafter, the petitioner approached this Court in W.P.(C) No.21279/2014. This Court directed the petitioner to discharge the liability in instalments. It appears that the petitioner did not comply with the directions in the judgment. Therefore, the Bank again initiated SARFAESI proceedings. The petitioner challenges the above proceedings.

2. I am of the view, in the light of the directions in Ext.P3 judgment; no further relief can be given to the petitioner. If at all the petitioner wants to modify the directions in Ext.P3 judgment, the remedy of the petitioner is to approach the appropriate court.

In that view of the matter, this writ petition is dismissed. However, to enable the petitioner to work out any alternative reliefs and to find out any other means to settle the liability, the proceedings against the petitioner shall be deferred for a period of one month from today.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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