

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937

WP(C).No.14886 of 2015 (I)

PETITIONER:

**N.M.HADIL,MELAPPU HOUSE,N.M.HUSSAIN HAJI ROAD,
KARASSERY P.O,MUKKAM,KOZHIKODE-673 602.**

**BY ADVS.SRI.T.RAJESH
SMT.P.V.SARITHA VENUGOPAL**

RESPONDENT'S:

- 1. THE AUTHORISED OFFICER,FEDERAL BANK LTD,
ZONAL OFFICE,FEDERAL TOWER,
MAVOOR ROAD,KOZHIKODE-673 016.**
- 2. FEDERAL BANK LTD,KOZHIKODE ZONAL OFFICE,
FEDERAL TOWER,MAVOOR ROAD,
REPRESENTED BY ITS ASSISTANT GENERAL MANAGER-673 016.**

**R1,R2 BY ADVS.SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.14886 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1.A TRUE COPY OF THE POSSESSION NOTICE DATED 4.4.14.

**EXHIBIT P2.A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENTS ON 24.2.15.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.14886 of 2015

Dated this the 30th day of June, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging 'SARFAESI' proceedings initiated by the respondent Bank, due to default in repaying the loan amount availed by the petitioner.

2. It appears that, the petitioner suffered chronic liver disease and was under treatment. The petitioner has four loan accounts viz; housing loan, term loan, agricultural loan and cash credit facility. It appears that, the Bank also filed an original application before the DRT. The petitioner approached the respondent Bank for settlement of loan accounts.

3. Considering the facts and circumstances, I am of the view that, as far as the request made by the petitioner in Ext.P2 is a matter to be considered by the 2nd respondent, there shall be a direction to the 2nd respondent to consider Ext.P2, after notice to the petitioner, within a period of one month from the date of receipt of a copy of this judgment. However, to work out any alternate remedy, all coercive steps against the petitioner shall be deferred for a period of two months.

This writ petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.