

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937

WP(C).No. 15618 of 2015 (B)

PETITIONER:

**K.B. HANEEFA AGED 50 YEARS
S/O.BEERU, KARUPPAM VEETIL HOUSE
KAIPPAMANGALAM VILLAGE,
KAIPPAMANGALAM P.O.
THRISSUR DISTRICT. PIN - 680 681.**

BY ADV. SRI.RAJESH CHAKYAT

RESPONDENT:

**THE GENERAL MANAGER
THRISSUR DISTRICT CO-OPERATIVE BANK, HEAD OFFICE
SAHAKARANA SADHABTHI MANDIRAM,
KOVIKATHUMPADAM
THRISSUR. PIN - 680 022.**

R1 BY ADV.SRI.C.A.MAJEED, SC, THRISSUR DISTRICT CO.OP. BANK

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 15618 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: A TRUE COPY OF THE PLAINT IN A.R.C. NO.206/2009

EXT.P-2: A TRUE COPY OF THE OBJECTION FILED IN A.R.C. NO.206/2009

EXT.P-3: A TRUE COPY OF THE REPLICATION FILED BY THE BANK

EXT.P-4: A TRUE COPY OF THE AWARD IN A.R.C. NO.206/2009 DATED 13.2.2013

**EXT.P-5: A TRUE COPY OF THE JUDGEMENT IN APPEAL NO.67/2013 DATED
24.2.2014**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 15618 OF 2015

Dated this the 24th day of July, 2015

JUDGMENT

Ext. P4 award has been affirmed in appeal by Ext. P5 judgment. The findings therein are rested on evidence. The liability of the petitioner to repay the gold loan is established. A reappraisal of evidence is impermissible in writ proceedings. Suffice it to say that the conclusions arrived at by the authorities are well founded.

2. I however permit the petitioner to repay the amount in instalments. The same shall be done in ten equal monthly instalments. The instalments shall be paid on the last day of every month starting from August 2015. The coercive steps shall be put on hold if the instalments are paid in time. The coercive steps can surge ahead if any one of the instalments are defaulted.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS