

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

WP(C).No. 16961 of 2015 (U)

PETITIONER :

**SUDHEER, AGED 40 YEARS
S/O.APPUKUTTAN, VATTAMPARAMBIL HOUSE, ELAVALLY (P.O.)
ELAVALLY VILLAGE, DISTRICT THRISSUR, PIN – 680 511.**

**BY ADVS.SRI.T.A.SHAIN
SRI.SHAJ JOSEPH PONMANY**

RESPONDENT :

**AUTHORIZED OFFICER
TRICHUR DISTRICT CO-OPERATIVE BANK LTD, TUDA ROAD
KOVILVAKTHUMPADAM, THIRUVAMBADI P.O., THRISSUR-680 022.**

BY ADV. SRI.C.A.MAJEED, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 16961 of 2015 (U)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1: TRUE COPY OF THE POSSESSION NOTICE ISSUED UNDER SECTION
13(4) DATED 21.05.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.16961 of 2015

Dated this the 8th day of June, 2015

JUDGMENT

The petitioner impugns SARFAESI proceedings. The petitioner's only prayer made before this Court is for an instalment facility to pay off the liability. Total outstanding liability of the petitioner is Rs.4,30,824/- and the overdue amount is Rs.3,45,302/-.

Considering the facts and circumstances, I am of the view, the petitioner shall pay Rs.75,000/- within one month. Thereafter, the petitioner shall pay the entire amount in ten equal monthly instalments starting from 5th of August, 2015. If the petitioner commits default in paying anyone of the instalments, the Bank is at liberty to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In