

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C).No. 17011 of 2015 (B)

PETITIONER(S) :

**JOSE J., AGED 45 YEARS,
ARCHANA, T.C.4/1856, PANDITS COLONY,
KOWDIAR, THIRUVANANTHAPURAM, PIN- 695 033.**

BY ADV. SRI.R.DIVAKARAN

RESPONDENT(S) :

- 1. THE AUTHORISED OFFICER,
STATE BANK OF TRAVANCORE,
STRESSED ASSETS RESOLUTION CENTRE,
2ND FLOOR, CHANDRASEKHARAN NAIR STADIUM,
THIRUVANANTHAPURAM- 695 033.**
- 2. MANAGER, STATE BANK OF TRAVANCORE,
STATUE JUNCTION BRANCH, THIRUVANANTHAPURAM.**

BY ADV. SRI.JAWAHAR JOSE, STATE BANK OF TRAVANCORE

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

Msd.

WP(C).No. 17011 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: THE TRUE COPY OF THE NOTICE DATED 24/09/2014 FROM
THE 1ST RESPONDENT.**

**EXHIBIT P2: A TRUE COPY OF TENDER FOR PROPERTY SALE
DATED 23/09/2014 PUBLISHED IN A MALAYALAM NEWS PAPER.**

EXHIBIT P3: A TRUE COPY OF REPRESENTATION DATED 25/04/2015.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17011 of 2015

Dated this the 8th day of June, 2015

JUDGMENT

The petitioner impugns proposed sale under SARFAESI proceedings. Admittedly, possession of the secured asset has been obtained by the Bank. The petitioner submits that he is attempting for private sale and also wants to clear the entire liability in instalments.

2. It is submitted by the learned counsel for the Bank that the sale was originally scheduled in the month of November, 2014 and the sale could not take place. It is further submitted that the total liability is Rs.9,43,087/-.

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

1. The petitioner shall deposit Rs.1,00,000/- (Rupees One lakh only) in two instalments.
2. The first instalment shall be paid on or before 20.6.2015 and the second instalment shall be paid on or before 10.7.2015.

3. If the petitioner complies with the above directions,
the petitioner is given further three months time
from 10.7.2015 to pay off the entire liability.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ln