

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 17358 of 2015 (T)

PETITIONER:

**HAREESH T.M., AGED 33 YEARS,
S/O.MOHANAN, THUNDATHIL HOUSE,
CHELACHUVADU P.O., IDUKKI.**

BY ADV. SRI.L.RAJESH NARAYAN

RESPONDENT(S):

- 1. THE AUTHORISED OFFICER,
INDUSIND BANK LTD,
KATTAPANA BRANCH, IDUKKI-686 513.**
- 2. THE BRANCH MANAGER
INDUSLND BANK LTD, KATTAPANA BRANCH,
IDUKKI-686 513.**

**BY ADV. SRI.G.HARIHARAN, SC
ADV. SRI.PRAVEEN.H.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 17358 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1. TRUE COPY OF THE STATEMENT OF ACCOUNTS PERTAINING TO THE
 LOAN ACCOUNT.**
- EXT.P2. TRUE COPY OF THE NOTICE DATED 22/8/2014.**
- EXT.P3. TRUE COPY OF THE CMP 1231/2015 DATED 10/3/2015.**
- EXT.P4. TRUE COPY OF THE ORDER DATED 25/3/2015 IN CMP NO.1231/2015.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17358 of 2015

Dated this the 10th day of June, 2015

JUDGMENT

The petitioner availed a vehicle loan from the respondent Bank for purchasing a JCB. On account of the default in repayment of the loan, the Bank is proceeding under SARFAESI Act. The petitioner, apprehending dispossession, approached this Court.

2. Learned counsel for the Bank submits that total overdue amount is Rs.2,90,000/- and the liability is more than Rs.19,00,000/-. It is also submitted that the term of the loan would expire only in the year 2017.

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

1. The petitioner shall discharge the entire overdue amount in six monthly instalments along with regular EMI.
2. If the petitioner clears the entire overdue amount within the time granted by this Court, the petitioner's account shall be regularized.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE