

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 18047 of 2015 (E)

PETITIONER:

**LINIMOL E.K., W/O. SUNIL KUMAR C.G,
AGED 30 YEARS, CHERADIYIL HOUSE,
PLASSANAL P.O, KOTTAYAM DISTRICT - 686579.**

BY ADV. SRI.RAJAGOPAL PADIPPURACKAL

RESPONDENT:

**ICICI BANK LTD., HEAD OFFICE,
COCHIN, ERNAKULAM DISTRICT,
REP. BY ITS AUTHORISED OFFICER.**

**BY SRI.A.A.ZIYAD RAHMAN, SC
ADV. SRI.LAL K.JOSEPH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 18047 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1: COPY OF THE LETTER ISSUED BY THE RESPONDENT BANK
DATED 20.12.2013.
- EXHIBIT P2: COPY OF THE REGISTRATION CERTIFICATE PERTAINING TO THE
VEHICLE BEARING REG. NO. KL 35 E 9899.
- EXHIBIT P3: COPY OF THE NOTICE ISSUED TO THE PETITIONER BY THE
RESPONDENT BANK DATED 29.4.2015
- EXHIBIT P4: COPY OF THE PETITION FILED BY THE RESPONDENT IN
CMP NO.1623/2015 ON THE FILE OF THE HON'BLE CHIEF JUDICIAL
MAGISTRATE KOTTAYAM.
- EXHIBIT P5: COPY OF THE COMMISSION REPORT.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.18047 of 2015

Dated this the 22nd day of June, 2015

J U D G M E N T

The petitioner availed a vehicle loan from the respondent Bank. On account of default in repaying the loan amount, the Bank repossessed the vehicle.

2. It appears that, the petitioner issued a cheque to the Bank for discharging the liability. The said cheque was also dishonoured.

3. Considering the facts and circumstances of the case, I am of the view that, if the petitioner wants to discharge the entire liability, the same shall be done within a period of three weeks from today. To enable the petitioner to wipe off the liability, SARFAESI proceedings for the sale shall be deferred for a period of three weeks.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV