IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

WP(C).No. 18206 of 2015 (A)
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PETITIONER :
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SHABU MATHEW,S/O.MATHEW, AGED 48 YEARS,
PARANKULANGARA HOUSE, PARATHODE.P.O.,
PODIMATTAM, KOTTAYAM-686 518

BY ADV. SRI.JEEVAN MATHEW MANAYANI

RESPONDENT(S):
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1. THE AUTHORISED OFFICER,
   H.D.F.C. BANK LTD., VETTOOR BUILDING,
   OPP.PUBLIC LIBRARY, SHASTRI ROAD, KOTTAYAM-686 001

2. H.D.F.C. BANK LTD., BRANCH OFFICE,
   VETTOOR BUILDING, OPP.PUBLIC LIBRARY,
   SHASTRI ROAD, KOTTAYAM-686 001,
   REPRESENTED BY ITS MANAGER.

BY ADV. SRI.T.RAJESH, SC, HDFC BANK LTD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

sts

**WP(C).NO.18206/2015**

## APPENDIX

**PETITIONER'S EXHIBITS:**

**P1** COPY OF THE REGISTRATION CERTIFICATE OF THE PETITIONER'S STAGE CARRIAGE BUS.

**P2** COPY OF THE PROCEEDINGS OF THE SECRETARY R.T.A GRANTING PERMIT TO THE PETITIONER TO OPERATE THE STAGE CARRIAGE VEHICLE DATED 24/4/2015

**P3** COPY OF THE TEMPORARY PERMIT ISSUED TO THE PETITIONER DATED 27/4/2015

**P4** COPY OF THE INVENTORY OF THE TAKING POSSESSION OF THE VEHICLE BY THE SECOND RESPONDENT.

**RESPONDENT'S EXHIBITS:** NIL

/TRUE COPY/

P.A.TO JUDGE

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**A.MUHAMED MUSTAQUE, J.**

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W.P.(C) No.18206 of 2015

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Dated this the 18th day of June, 2015

**JUDGMENT**

The petitioner availed a vehicle loan from the respondent Bank. Consequent upon non-payment of the EMI, the Bank re-possessed the vehicle. The petitioner submits that he is prepared to clear the overdue amount and regularize the account.

2. Learned counsel for the Bank submits that overdue amount is Rs.2.6 lakhs and the total liability is more than Rs.8 lakhs.

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

1. The petitioner shall remit Rs.50,000/- towards overdue amount within a week.
2. Based on the above payment, the vehicle shall be released to the petitioner.
3. Thereafter, the petitioner deposits another Rs.50,000/- within another two weeks.

4. The petitioner shall pay the balance overdue amount along with regular EMI from August, 2015 onwards in four equal monthly instalments.
5. In the event, the petitioner fails to pay anyone of the instalments as above, the Bank is at liberty to repossess the vehicle.

Sd/-
**A.MUHAMED MUSTAQUE, JUDGE**

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