

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 19518 of 2015 (L)

PETITIONER(S):

**LAILA BEEVI, W/O.BADARUDEEN,
RESIDING AT MULLASSERIL VEEDU,
PERUMBATHAZHA, CLAPPANA P.O.,
KARUNAGAPPALLY, KOLLAM DISTRICT.**

**BY ADVS.SRI.R.RAJASEKHARAN PILLAI
SMT.SABINA JAYAN**

RESPONDENT(S):

- 1. THE KOLLAM DISTRICT CO-OPERATIVE BANK LTD.,
NO.Q-455, KOLLAM 691 001,
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 2. THE AUTHORISED OFFICER (THE DEPUTY GENERAL MANAGER),
KOLLAM DISTRICT CO-OPERATIVE BANK LTD.,
NO.Q-455, KOLLAM - 691 001.**
- 3. THE SENIOR BRANCH MANAGER,
VALLIKKAVU BRANCH, KOLLAM DISTRICT
CO-OPERATIVE BANK LTD., VALLIKKAVU,
KARUNGAPPALLY, KOLLAM DISTRICT.**
- 4. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY CO-OPERATIVE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**

**R1 TO R3 BY SRI.T.R.HARIKUMAR, SC
R4 BY GOVERNMENT PLEADER SRI.ABHIJETT LESSLI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 19518 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT.

**EXT.P2: TRUE COPY OF THE NOTICE DTD.22.1.2015 ISSUED BY THE DEPUTY
GENERAL MANAGER OF THE 1ST RESPONDENT.**

**EXT.P3: TRUE COPY OF THE INTIMATION DTD.23.4.2015 ISSUED BY THE
3RD RESPONDENT.**

**EXT.P4: TRUE COPY OF THE NOTIFICATION APPEARED IN MALAYAL MANORAMA
DAILY DTD.21.6.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19518 of 2015

Dated this the 29th day of June, 2015

JUDGMENT

The petitioner impugns SARFAESI proceedings. The total liability of the petitioner with the Bank is around Rs.5,10,000/-. The only prayer made before this Court is to permit the petitioner to discharge the entire liability in eight equal monthly instalments.

2. Learned counsel for the Bank opposes the prayer of the petitioner.

Taking note of the facts and circumstances, the petitioner is permitted to discharge the entire liability in eight equal monthly instalments starting from the month of July, 2015 onwards along with future interest. However, 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

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