

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

W.P.(C).No. 20332 of 2015 (N)

PETITIONER :

SUNILKUMAR,
AGED 44 YEARS,
S/O. BALAKRISHNA PILLAI,
RESIDING AT SUNI BHAVAN,
EREZHA NORTH, CHETTIKULANGARA P.O,
MAVELIKKARA,ALAPPUZHA DISTRICT

BY ADVS.SRI.T.K.VIPINDAS
SMT.PREM BINDU T.K.
SRI.K.V.SREE VINAYAKAN
SRI.K.M.MUHAMMED HUSSAIN

RESPONDENTS :

1. STATE BANK OF INDIA,
MAVELIKKARA BRANCH,
REPRESENTED BY ITS MANAGER
PIN-690 101
2. THE AUTHORIZED OFFICER,
CHIEF MANAGER,
STATE BANK OF INDIA,
MAVELIKKARA BRANCH,PIN-690 101

BY SRI.R.S.KALKURA, SC, STATE BANK OF INDIA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 20-07-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

bpr

W.P. (C) .No. 20332 of 2015 (N)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF THE NOTICE ISSUED BY THE RESPONDENT
 AS PER SECTION 13(2) OF THE SARFAESI ACT DATED
 24.04.2015

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

bpr

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 20332 of 2015

Dated this the 20th day of July, 2015

JUDGMENT

The petitioner availed a vehicle loan from the respondent Bank in the year 2010. The petitioner impugns the SARFAESI proceedings. The learned Standing Counsel submits that the overdue amount is around Rs. 50,000/- and the total liability is around Rs. 2,00,000/-.

2. Considering the facts and circumstances, the following directions are issued :

- i) The petitioner shall pay Rs. 20,000/- on or before 30.07.2015.
- ii) The petitioner shall pay the overdue amount in four equal monthly instalments along with regular EMI from the succeeding month onwards.
- iii) If the petitioner complies with the above conditions, the loan account shall be regularised.
- iv) If the petitioner fails to comply with the above directions, the respondent Bank is free to proceed against the petitioner in accordance with law.

This writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE