

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937**

**WP(C).No. 20596 of 2015 (Y)**  
-----

**PETITIONER :**  
-----

**SAIDUL AKBAR,S/O.POCKER HAJI,  
MADAYI HOUSE, THANIPPARA,  
MANJERI P.O., MALAPPURAM DISTRICT.**

**BY ADV. SRI.T.PRASAD**

**RESPONDENT :**  
-----

**THE AUTHORIZED OFFICER,  
MALAPPURAM DISTRICT CO-OPERATIVE BANK LIMITED,  
MALAPPURAM P.O, MALAPPURAM - 676 505.**

**BY SRI.ESM.KABEER**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**sts**

**WP(C).No. 20596 of 2015 (Y)**  
-----

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
-----

**P1 - THE TRUE COPY OF THE CMP NO.161/2015 OF THE CHIEF JUDICIAL  
MAGISTRATE COURT, MANJERI.**

**RESPONDENT(S)' EXHIBITS:**  
-----

**NIL**

**/TRUE COPY/**

**P.A.TO JUDGE**

**sts**

**A. MUHAMED MUSTAQUE, J.**

-----  
**W.P(C). No. 20596 of 2015**  
-----

**Dated this the 8<sup>th</sup> day of July, 2015**

**J U D G M E N T**

The petitioner availed a cash credit facility from the respondent Bank and the period is over. On account of non-payment, Bank initiated SARFAESI proceedings against the petitioner.

2. The petitioner submits that, he is prepared to settle the entire liability, if he is given instalment facility to wipe off the same.

3. According to the learned counsel for the Bank, the total liability is around ₹18 lakhs.

4. In that view of the matter, following directions are issued:

(i) Petitioner shall remit ₹3,00,000/- within one month from today.

(ii) Thereafter petitioner shall remit a sum of Rs.2 lakhs within two months and a further sum of ₹2 lakhs within another 2 months.

(iii) If the petitioner complies the directions as above, petitioner shall be given 5 more months to settle the entire liability.

5. Coercive proceedings shall be deferred in tune with the above directions.

This writ petition is disposed of.

Sd/-

**A. MUHAMED MUSTAQUE, JUDGE.**

Pn