

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C).No. 20624 of 2015 (C)

PETITIONER :

**SUDHAKARAN P., AGED 63 YEARS,
S/O.CHANDUKUTTY, PERATTIL HOUSE,
KANNANKARA POST, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.G.ANEESH
SRI.P.V.ANOOP
SMT.PRIYANKA VARGHESE**

RESPONDENT(S):

- 1. THE DISTRICT CO-OPERATIVE BANK LIMITED.,
REPRESENTED BY THE SENIOR MANAGER/AUTHORIZED OFFICER,
HEAD OFFICE, P.B.NO.503, CHALAPPURAM P.O.,
KOZHIKODE, PIN-673 002.**
- 2. THE GENERAL MANAGER,
THE DISTRICT CO-OPERATIVE BANK LIMITED, HEAD OFFICE,
P.B.NO.503, CHALAPPURAM P.O., KOZHIKODE,
PIN-673 002.**

R1 & R2 BY ADV. SRI.R.SUDHISH, SC, KOZHIKODE DIST.CO.OP. BANK, LTD.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.20624/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE PETITION DATED 29/05/2015 FILED BY THE 1ST RESPONDENT UNDER SECTION 14 OF THE SARFAESI ACT BEFORE THE CHIEF JUDICIAL MAGISTRATE COURT, KOZHIKODE**
- P2 COPY OF THE ORDER DATED 29/05/2015 IN CMP.NO.1156/2015 ON THE FILE OF THE CHIEF JUDICIAL MAGISTRATE, KOZHIKODE.**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 20624 of 2015

Dated this the 13th day of July, 2015

J U D G M E N T

The petitioner has approached this Court impugning SARFAESI proceedings.

2. The petitioner's only prayer before this Court is that, the petitioner may be permitted to discharge the entire liability in instalments.

3. The learned counsel for the Bank opposes the prayer of the petitioner and submits that the total liability is ₹4,20,259/-.

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

- (i) Petitioner shall remit ₹1,00,000/- on or before 29.07.2015.
- (ii) If petitioner remits the amount as above, the petitioner shall be given 10 monthly instalments from the succeeding month onwards.
- (iii) If the petitioner commits default in paying any of the instalments, the Bank is free to proceed against the petitioner.
- (iv) Coercive steps against the petitioner shall be deferred in tune with the above directions.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.