

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

WP(C).No. 20778 of 2015 (V)

PETITIONER(S):

1. RENJITH KRISHNA M.,
S/O. M.G.UNNIKRISHNAN, MADAPPATTU HOUSE,
THALANADU P.O., VIA TEEKOY, KOTTAYAM,
PIN- 686 580.
2. SMT. AARATHEE RENJITH,
W/O. RENJITH KRISHNA, MADAPPATTU HOUSE,
THALANADU P.O., VIA TEEKOY, KOTTAYAM,
PIN- 686 580.
3. SMT. ROHINI BAI,
W/O. M.G.UNNIKRISHNAN, MADAPPATTU HOUSE,
THALANADU P.O., VIA TEEKOY, KOTTAYAM,
PIN- 686 580.

**BY ADVS.SRI.V.V.NANDAGOPAL NAMBIAR
SMITHA K.P**

RESPONDENT(S):

1. CANARA BANK,
KOTTAYAM MAIN BRANCH, K.K.ROAD, KOTTAYAM- 686 001
REPRESENTED BY ITS CHIEF MANAGER.
2. AUTHORISED OFFICER AND CHIEF MANAGER,
CANARA BANK, KOTTAYAM MAIN BRANCH, K.K.ROAD,
KOTTAYAM- 686 001.

R1 & R2 BY SRI.PAULY MATHEW MURICKEN,SC,CANARA BANK

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 20778 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF NOTICE U/S.13(4) OF SARFAESI ACT DATED 29.05.2015

EXHIBIT P2: TRUE COPY OF THE REPRESENTATION DATED 15.06.2015

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

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.20778 of 2015

Dated this the 31st day of July, 2015

JUDGMENT

Petitioners have approached this Court challenging SARFAESI proceedings.

2. This Court ordered on 9.07.2015 to defer the sale on condition that the petitioners remit Rs.7 lakhs within ten days. It appears that the petitioners have not paid the above amount even though the sale was deferred.

If the petitioners are having any grievance against the steps being taken under the SARFAESI proceedings; the petitioners are free to challenge the same in accordance with law before the Debts Recovery Tribunal. However, in view of the non-compliance of the interim order, this Court is of the view that no other indulgence can be shown to the petitioner. Accordingly, this writ petition is dismissed with liberty as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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