

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C) .No. 21355 of 2015 (T)

PETITIONER(S) :

ABHIJA V.M.,
AGED 26 YEARS, W/O.SHAHINSHA,
KOTTAPPURATH HOUSE, AROOR P.O.,
ALAPPUZHA DISTRICT, PIN - 688 534.

BY ADV. SRI.ESM.KABEER.

RESPONDENT(S) :

THE FEDERAL BANK LTD.,
REPRESENTED BY THE CHIEF MANAGER AND
AUTHORIZED OFFICER UNDER SARFAESI ACT,
ST.AUGUSTINE'S CHURCH BUILDING,
BYPASS JUNCTION, AROOR,
ALAPPUZHA DISTRICT-688 534.

BY ADV. SRI.MADHU RADHAKRISHNAN

BY ADV. SRI.P.RADHAKRISHNAN (1)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE RELEVANT EXTRACT OF THE PASS BOOK OF THE
PETITIONER SHOWING THE PAYMENTS EFFECTED TILL 02.06.2015.

EXHIBIT-P2: TRUE COPY OF THE DEMAND NOTICE DATED 22.05.2015.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21355 of 2015

Dated this the 10th day of August, 2015

JUDGMENT

The petitioner availed a term loan from the respondent Bank. The petitioner challenges SARFAESI proceedings. The petitioner's only prayer before this Court is that she may be permitted to clear the overdue amount and the Bank may be directed to regularize the account.

2. Learned standing counsel for the Bank submits that the total overdue amount as on 27.7.2015 is around Rs.4,16,000/-.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

- i. The petitioner shall remit the overdue amount along with regular EMI in six equal monthly instalments starting from this month onwards from the due date.
- ii. If the petitioner clears the overdue amount as above along with regular EMI, the Bank shall regularize the account.

- iii. If the petitioner commits default in remitting anyone of the instalments, the Bank is free to proceed against her from the stage where it is stopped.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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