

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 21816 of 2015 (B)

PETITIONER :

**N.PRAKASAN, AGED 45 YEARS,
S/O.KUMMINI NAGAN, NEENDARITHINKAL HOUSE,
MOOCHIKKAL, VALLUVANPPRAM P.O., MALAPPURAM.**

**BY ADVS.SRI.A.T.ANILKUMAR
SMT.V.SHYLAJA**

RESPONDENTS :

- 1. THE MALAPPURAM DISTRICT CO OPERATIVE BANK LTD.
REPRESENTED BY ITS MANAGER, MONGAM BRANCH, MALAPPURAM.**
- 2. THE AUTHORIZED OFFICER,
MALAPPURAM DISTRICT CO-OPERATIVE BANK,
H.O. MALAPURAM.**

BY SRI.ESM.KABEER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05/08/2015 , THE COURT ON 06-08-2015 DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE CERTIFICATE SHOWING THE SCHEDULE CASTE STATUS OF THE PETITIONER.

EXHIBIT-P2: TRUE COPY OF THE REPORT OF BPL SURVEY CONDUCTED BY THE STATE GOVERNMENT DURING 2009.

EXHIBIT-P3: TRUE COPY OF THE SALE NOTICE ISSUED BY THE RESPONDENT.

EXHIBIT-P4: THE NEWS ITEM PUBLISHED IN MALAYALA MANORAMA DATED 20/6/2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21816 of 2015

Dated this the 6th day of August, 2015

JUDGMENT

The petitioner availed a loan from the respondent Bank. The petitioner, impugning SARFAESI proceedings, has approached this Court.

2. The learned Standing Counsel for the Bank submits that total liability of the petitioner is around Rs.2,73,000/-.

3. The petitioner seeks an instalment facility to discharge the entire liability.

4. This Court on 27.7.2015 directed the petitioner to remit Rs.25,000/- within one week. The petitioner has not remitted the above amount.

In view of the above, if the petitioner deposits the above amount on or before 31.8.2015, the petitioner shall discharge the entire liability in fourteen equal monthly instalments starting from 20.9.2015. If the petitioner commits default in remitting anyone of the instalments, the Bank is free to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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