IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 22301 of 2015 (K)

PETITIONER(S):
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1. RESIKENDRAN. G., AGED 48 YEARS,
   S/O.GOPALAN, KUZHIPPARAMBIL MEENATHETHIL HOUSE,
   ARUNOOTIMANGALAM P.O., MAVELIKKARA, ALAPPUZHA-690 102.

2. SANTHAKUMARI. K., AGED 40 YEARS,
   W/O.RESIKENDRAN, KUZHIPPARAMBIL MEENATHETHIL HOUSE,
   ARUNOOTIMANGALAM P.O., MAVELIKKARA, ALAPPUZHA-690 102.

BY ADVS.SRI.M.D.SASIKUMARAN,
SRI.GEORGE MATHEW,
SRI.SUNIL KUMAR A.G.,
SRI.DIPU JAMES.

RESPONDENT(S):
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1. DEWAN HOUSING FINANCE CORPORATION LTD.,
   WARDEN HOUSE, 2ND FLOOR, P.M. ROAD,
   FORT MUMBAI-400 001, REP. BY ITS MANAGING DIRECTOR.

2. DEWAN HOUSING FINANCE CORPORATION LTD.,
   BRANCH OFFICE, 1ST FLOOR, MADEENA COMPLEX,
   CMS COLLEGE ROAD, BAKER JUNCTION, KOTTAYAM,
   REP. BY ITS BRANCH MANAGER, PIN-686 001.

3. THE AUTHORISED OFFICER,
   DEWAN HOUSING FINANCE CORPORATION LTD.,
   BRANCH OFFICE, 1ST FLOOR, MADEENA COMPLEX,
   CMS COLLEGE ROAD, BAKER JUNCTION,
   KOTTAYAM-686 001.

4. BIJILI JOSEPH, ADVOCATE COMMISSIONER,
   MUNICIPAL SATHRAM, OPPOSITE DISTRICT COURT,
   ALAPPUZHA-688 011.

R1 TO R3 BY ADV. SRI.P.PAULOCHAN ANTONY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rs.

WP(C).No. 22301 of 2015 (K)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1	COPY OF THE NOTICE DATED 12/12/2014.
EXT.P2	COPY OF THE RECEIPT DATED 28/03/2015.
EXT.P3	COPY OF THE NOTICE DATED 17/07/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C) No.22301 of 2015

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Dated this the 23rd day of July, 2015

<u>JUDGMENT</u>

Petitioners availed a housing loan from the respondent-Institution. The petitioners threatened with SARFAESI proceedings have approached this Court.

2. Learned standing counsel for the Bank submits that the overdue amount is around Rs.48,000/-.

Considering the above, this writ petition is disposed of with the following directions:

i. The petitioners shall remit the overdue amount along with regular EMI in four equal monthly instalments from the month of August, 2015 onwards.

ii. If the petitioners discharge the overdue amount along with regular EMI, the respondent-Institution shall regularize the account.

iii. If the petitioners fail to honour anyone of the conditions, the Bank is free to proceed against the petitioners in accordance with law.

iv. Coercive steps initiated against the petitioners shall be deferred in tune with the above directions.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE

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