

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 22675 of 2015 (H)

PETITIONERS :

- 1. BEERAN HAJI, AGED 62 YEARS,
S/O. MUHAMMED, PANNATHODI HOUSE, BHAVAPADI,
VALANCHERY P.O, MALAPPURAM DISTRICT**
- 2. PATHUMMAKUTTY, AGED 57 YEARS,
W/O. BEERAN HAJI, PANNATHODI HOUSE , BHAVAPADI,
VALANCHERY P.O, MALAPPURAM DISTRICT**

BY ADV. SRI.RAJIT

RESPONDENT :

- 1. THE AUTHORISED OFFICER, MALAPPURAM DISTRICT
CO-OPERATIVE BANK LTD., MALAPPURAM- 676 505**
- 2. MALAPPURAM DISTRICT CO-OPERATIVE BANK, LTD
MALAPPURAM REPRESENTED BY ITS GENERAL MANAGER-676 505**

BY SRI.ESM.KABEER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER.**

**EXHIBIT P2: TRUE COPY OF PETITION FILED BY THE 2ND RESPONDENT BEFORE
THE LEARNED CJM, MANJERI**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 22675 of 2015

Dated this the 28th day of July, 2015

J U D G M E N T

The petitioners availed a cash credit facility from the respondent Bank. Petitioners have approached this Court challenging the SARFAESI proceedings. The petitioners' only prayer before this Court is that, they may be permitted to clear the amount by instalments.

2. According to the Bank the total liability is around ₹6.37 lakhs.

3. Considering the facts and circumstances, following direction are issued:

(i) Petitioners shall remit ₹1,00,000/- within one month from today.

(ii) Thereafter the petitioners shall discharge entire liability in 8 monthly instalments from the succeeding month onwards.

(iii) if the petitioners commit default in paying any one of the instalments the Bank is free to proceed against the petitioners.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.