

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

WP(C).No. 22894 of 2015 (J)

PETITIONER(S) :

**SARATH CHANDRAN. B., AGED 31 YEARS
SINDHU SADANAM, THUVAYOOR NORTH, MANAKKALA P.O.,
ADOOR, PATHANAMTHITTA**

**BY ADVS.SRI.KRISHNA PRASAD. S
SRI.B.SIBI
SRI.NOBEL RAJU**

RESPONDENT(S) :

- 1. STATE BANK OF TRAVANCORE,
KOLLAM MAIN BRANCH, BISHOP JEROME NAGAR,
KOLLAM 691 001., PIN 680 565 REPRESENTED
BY ITS BRANCH MANAGER**
- 2. AUTHORISED OFFICER/CHIEF MANAGER
STATE BANK OF TRAVANCORE, KOLLAM MAIN BRANCH,
BISHOP JEROME NAGAR, KOLLAM 691 001.**

BY SRI.R.S.KALKURA, SC, SBT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

AMV

: 2 :

WP(C).No. 22894 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1 : COPY OF THE NOTICE ISSUED UNDER SECTION 13(2)
SARFAESI ACT 2002 DATED 10-04-2015.**

**EXHIBIT P2 : COPY OF THE REPLY LETTER DATED 20-06-2015 SENT BY THE
PETITIONER.**

**EXHIBIT P3 : COPY OF THE REPLY LETTER DATED 1-7-2015 SENT BY THE
1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No.22894 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

The petitioner, had approached this Court aggrieved by the steps taken by the respondent bank under the 'SARFAESI Act', for recovery of the defaulted loan amounts. When the matter came up for orders on 08/09/2015, this Court had granted an interim stay of recovery proceedings on condition that the petitioner remits an amount of Rs.25,00,000/- within six weeks from the date of the order. When the matter was called up today, it is submitted by counsel for the petitioner that the petitioner could not comply with the directions in the interim order dated 08/09/2015. Taking note of the said submission, I find that the petitioner cannot aspire for any discretionary relief from this court in these proceedings under Article 226 of the Constitution of India.

The writ petition fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**