IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23474 of 2015 (H)

PETITIONERS :

1. **M/S.BISMI PANIPPURA FURNITURE, REPRESENTED BY MANAGING PARTNER HABEEB, KOLATHUR, P.O.THURAKKAL, KONDOTTY, KONDOTTY AMSOM, DESOM, KONDOTTY TALUK.**

2. **SRI. HABEEB (MANAGING PARTNER) AGED 33 YEARS, S/O.MUHAMMED, CHENEPPURAM HOUSE, KONDOTTY P.O., KONDOTTY DESOM, KONDOTTY TALUK.**

3. **MUHAMMEDALI A. (PARTNER) AGED 61 YEARS, S/O.KAMMED, AMBAZHATHINGAL HOUSE, THURAKKAL P.O., KONDOTTY AMSOM DESOM, KONDOTTY TALUK.**

4. **EBRAHIM K.T.(PARTNER) AGED 57 YEARS, S/O.KUNHIMUHAMMED, KARAAPATHODIKA HOUSE, KONDOTTY P.O. KONDOTTY AMSOM, DESOM, KONDOTTY TALUK.**

BY ADVS.SRI.J.R.PREM NAVAZ
SRI.P.T.SHEEJISH

RESPONDENTS :

1. **THE CANARA BANK (KONDOTTY BRANCH) REPRESENTED BY ITS MANAGER ATHIKKAVIL SHOPPING COMPLEX, KO 3/479-A-479G OPP: TELEPHONE EXCHANGE, KONDOTTY MALAPPURAM-673638.**

2. **DEPUTY TAHSILDAR (REVENUE RECOVERY) TALUK OFFICE, KONDOTTY, MALAPPURAM DISTRICT-673638.**

R2 BY SRI.V.B.HARI NARAYANAN
R1 BY GOVERNMENT PLEADER SMT. M.T. SHEEBA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

bp

WP(C).No. 23474 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF THE DEMAND NOTICE UNDER SECTION 7 DT 28-05-2015.

P2: COPY OF THE DEMAND NOTICE UNDER SECTION 34 DT 28/5/2015.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 23474 of 2015

Dated this the 7th day of August, 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 revenue recovery proceedings. The only prayer before this Court is that, the petitioners may be given instalment facility to discharge the entire liability.

2. Learned counsel for the Bank opposes the prayer of the petitioners.

3. Taking note of the facts and circumstances, following directions are issued:

(i) Petitioners shall deposit ₹1,00,000/- (Rupees one lakh only) within one month from today.

(ii) Thereafter, the petitioners shall remit ₹50,000/- (Rupees fifty thousand only) per month for a period of seven months and in the 8th month petitioner shall deposit the entire balance amount in lump sum.

(iii) The petitioners will be liable to pay future interest and incidental charges applicable under the Revenue Recovery Act.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

Pn