

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

WP(C).No. 23597 of 2015 (Y)

PETITIONER :

**VIDHYADHARAN.G,
G P MEDICALS, SARAVANA COMPOUND,
BALARAMAPURAM, THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SASITH

RESPONDENT(S):

- 1. AUTHORIZED OFFICER,
ICICI BANK LTD., 4/10, MYTHREE TOWER,
BOMMANHALLI, HOSUR ROAD, BENGALURU. PIN-560 068.**
- 2. ICICI HOME FINANCE COMPANY LIMITED,
1ST FLOOR, ICICI BANK BUILDING, M.G ROAD,
THIRUVANANTHAPURAM. PIN-695 001**

R1 & R2 BY SRI.LAL K.JOSEPH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 23597 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE RESPONDENT BANK 1.

P2- TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.23597 of 2015

Dated this the 17th day of August, 2015

JUDGMENT

The petitioner has approached this Court challenging SARFAESI proceedings. The main contention of the petitioner is that his objection under Section 13(3A) of SARFAESI Act has not been considered by the respondent Bank.

2. Learned standing counsel for the Bank submits that the Bank need not consider the same for the reason that it received after the sixty days of serving notice under Section 13(2) of the SARFAESI Act.

This Court is of the view that whether the Bank received it out of time or not, can only reflect through a proper reply to the objection raised by the petitioner by Ext.P2. Therefore, there shall be a direction to the respondent Bank to give a reply to the petitioner's Ext.P2 objection within a period of two weeks.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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