

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. 23622 of 2015 (C)

PETITIONER :

**RADHA, D/O.KARAPPAN (LATE), AGED 32 YEARS,
MANHALAM PARAMBATH HOUSE, KORAD, P.O.OZHUR,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.C.M.MOHAMMED IQUABAL
SMT.ANJALI G.KRISHNAN**

RESPONDENT(S):

- 1. MALAPPURAM DISTRICT CO-OPERATIVE BANK LIMITED.,
HEAD OFFICE, MALAPPURAM, POST MALAPPURAM,
PIN-676 505, REPRESENTED BY ITS GENERAL MANAGER.**
- 2. THE MANAGER,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LIMITED,
MALAPPURAM MAIN BRANCH, POST MALAPPURAM, PIN-676 505.**
- 3. THE AUTHORIZED OFFICER,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LIMITED,
MALAPPURAM MAIN BRANCH, POST MALAPPURAM, PIN-676 505.**

BY SRI.ESM.KABEER

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

sts

=====

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 23622 of 2015

Dated this the 7th day of August, 2015

J U D G M E N T

The petitioner is an auction purchaser. The defaulter is petitioner's brother. Petitioner took part in the auction and purchased the property. Petitioner also deposited 25% of the bid amount. Petitioner submits that she is residing in the secured asset. The only prayer before this Court is that, the petitioner may be given instalment facility to pay the balance amount.

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

3. However, taking note of the fact that the petitioner is residing in the building and she wants only time to deposit the balance amount, following directions are issued:

- (i) Petitioner shall pay the balance amount in two equal monthly instalments on or before 31.08.2015 & 30.09.2015.
- (ii) It is open for the Bank to claim any interest for the delay in the payment.
- (iii) However, if the petitioner fails to honour any one of the conditions, the Bank is free to re-auction the property.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.