

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. 23919 of 2015 (L)

PETITIONER :

**ACHANKUNJU
AGED 45 YEARS, S/O. DANIEL KUNJU KUNJU,
KOCHUVILA PUTHENVEEDU
VADAKODEKARA P.O., PATHANAPURAM TALUK
KOLLAM DISTRICT, PIN- 691 557.**

BY ADV. SMT.M.MANJU

RESPONDENT :

**THE AUTHORISED OFFICER
KOLLAM DISTRICT CO-OPERATIVE BANK LIMITED
HEAD OFFICE, CHINNAKKADA JUNCTION,
KOLLAM- 691 001.**

BY ADV. SRI.T.R.HARIKUMAR, SC

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

Mn

...2/-

WP(C).No. 23919 of 2015 (L)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1- COPY OF THE DISABILITY CERTIFICATE DATED 09/09/1996 ISSUED BY
THE MEDICAL BOARD OF DISTRICT HOSPITAL, KOLLAM.**

EXHIBIT-P2- COPY OF THE 13(4) NOTICE DATED 04/08/2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 23919 of 2015

Dated this the 17th day of August, 2015

J U D G M E N T

The petitioner has approached this Court challenging SARFAESI proceedings. The only prayer of the petitioner is that, he may be given instalment facility to discharge the entire liability.

2. According to the Bank, the total liability of the petitioner is more than ₹3,79,000/-.

3. Considering the facts and circumstances following directions are issued:

(i) The petitioner shall remit ₹50,000/- (Rupees fifty thousand only) within one month from today.

(ii) Thereafter, the petitioner shall remit the entire balance amount in 10 monthly instalments starting from the succeeding month onwards.

(iii) If the petitioner commits default in paying any one of the instalments, the Bank is free to proceed against the petitioner.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.