

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

WP(C).No. 24470 of 2015 (G)

PETITIONER(S):

**V.K.KARIM, AGED 44 YEARS,
S/O.KABEER, SOURIYATH MANZIL, KARAYANKAD,
VADAKKANCHERRY P.O., PALAKKAD DISTRICT-678683.**

**BY ADVS.SRI.BINOY VASUDEVAN
SMT.P.G.BABITHA**

RESPONDENT(S):

- 1. SUNDARAM BNP PARIBAS HOME FINANCE LIMITED,
SUNDARAM TOWER, 4TH FLOOR, NO.46, WHITES ROAD,
ROYAPETTAH, CHENNAI-600014,
REPRESENTED BY ITS GENERAL MANAGER.**
- 2. THE AUTHORIZED OFFICER,
SUNDARAM BNP PARIBAS HOME FINANCE LIMITED,
SUNDARAM TOWER, 4TH FLOOR, NO.46, WHITES ROAD,
ROYAPETTAH, CHENNAI-600014,
REPRESENTED BY ITS GENERAL MANAGER.**
- 3. THE BRANCH MANAGER,
SUNDARAM BNP PARIBAS HOME FINANCE LIMITED,
15/513(50) 1ST FLOOR, AKSHAYA FOUNDATION
STADIUM BYE PASS ROAD, PALAKKAD-678001.**

BY SRI.S.EASWARAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: TRUE COPY OF THE DOCUMENT NO.1884/12 OF SRO
VADAKKANCHERRY**
- EXHIBIT-P2: TRUE COPY OF THE LOAN OFFER LETTER ISSUED BY THE
RESPONDENT BANK**
- EXHIBIT-P3: TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED BY THE R3
FOR THE PERIOD 1-4-12 TO 31/3/13**
- EXHIBIT-P4: TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED BY THE R3
FOR THE PERIOD 1-4-13 TO 31/3/15**
- EXHIBIT-P5: TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED BY THE R3
FOR THE PERIOD 1-4-14 TO 31/3/15**
- EXHIBIT-P6: TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED BY THE R3
FOR THE PERIOD 1-4-15 TO 6/8/15**
- EXHIBIT-P7: TRUE COPY OF THE NOTICE ISSUED UNDER RULE 8(1) OF THE
SECURITY INTEREST ENFORCEMENT RULES, BY THE R2**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 24470 of 2015

Dated this the 12th day of August, 2015

J U D G M E N T

The petitioner availed a loan from the respondent institution. Petitioner has approached this Court challenging SARFAESI proceedings.

2. Learned counsel for the petitioner submits that, the petitioner is prepared to clear the overdue amount and the respondent may be directed to regularise the account.

3. Learned counsel for the respondent submits that the overdue amount is around ₹16,00,000/-.

4. Considering the facts and circumstances, the petitioner is directed to remit the overdue amount along with regular EMI in six instalments starting from August, 2015, onwards. If the petitioner remits the amount as above, the respondent shall regularise the account. However, if the petitioner commits default in remitting 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.