

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. 24770 of 2015 (U)

PETITIONERS :

- 1. SMT. SOPHIA SIJU, AGED 36 YEARS,
W/O.SIJU ANDREWS, ANICKAL PUTHUPARAMBIL,
KUZHIMATTOM P.O., KOTTAYAM.**
- 2. THOMAS.V.A., AGED 68 YEARS,
S/O.ABRAHAM, MUNDIATHARAYIL,
KUZHIMATTOM P.O., KOTTAYAM.**
- 3. ANNAMMA THOMAS, AGED 58 YEARS,
W/O.THOMAS, MUNDIATHARAYIL,
KUZHIMATTOM P.O., KOTTAYAM.**

BY ADV. SRI.RAVI KRISHNAN

RESPONDENTS :

- 1. THE KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.
VAKATHANAM BRANCH, REPRESENTED BY ITS BRANCH MANAGER,
KOTTAYAM DISTRICT, PIN 686538.**
- 2. THE SECURITIZATION OFFICER,
THE KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.,
KOTTAYAM DISTRICT, PIN 686538.**

R1 BY SRI.SUNIL CYRIAC, SC,

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

bp

WP(C).No. 24770 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: THE TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER DATED 30.05.2015.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 24770 of 2015

Dated this the 17th day of August, 2015

JUDGMENT

The petitioner challenging SARFAESI proceedings has approached this Court.

2. The only prayer made by the petitioner before this Court is that he may be given sufficient instalment facility to discharge the entire liability.

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

- i) The petitioner shall remit Rs. 3,00,000/- (Rupees three lakhs only) on or before 15.9.2015.
- ii) If the petitioner remits the amount as above, the petitioner shall be permitted to discharge the entire balance amount in twelve equal monthly instalments, starting from the succeeding month onwards.
- iii) If the petitioner commits default in any one of the

instalment, the bank is at liberty to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

Sd/

**A. MUHAMED MUSTAQUE,
JUDGE**

jm/