

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

WP(C).No. 25145 of 2015 (P)

PETITIONER(S) :

**K.NARAYANAN, AGED 65 YEARS,
S/O.RAMAN NAIR, KOROTH HOUSE, ERAMALA,
ORKATTERY, VADAKARA, KOZHIKODE DISTRICT, PIN-673 501.**

**BY ADVS.SRI.R.PARTHASARATHY
SMT.SEEMA**

RESPONDENT(S) :

- 1. KOZHIKODE DISTRICT CO-OPERATIVE BANK LTD.,
REPRESENTED BY GENERAL MANAGER, KALLAI ROAD,
KOZHIKODE DISTRICT, PIN-673 502.**
- 2. THE AUTHORISED OFFICER,
KOZHIKODE DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFFICE, KALLAI ROAD, KOZHIKODE-673 502.**
- 3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY,
KOZHIKODE-673 001.**

**R1 & R2 BY ADV. SRI.R.SUDHISH, S.C
R3 BY GOVERNMENT PLEADER SRI.GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : TRUE COPY OF THE NOTICE ISSUED BY THE RESPONDENTS
DATED 10-06-2013.**
- P2 : TRUE COPY OF THE RECEIPT ISSUED BY THE RESPONDENT BANK FOR
RS.1,00,000/- DATED 24-07-2014.**
- P3 : TRUE COPY OF THE JUDGMENT PASSED BY THIS HONOURABLE COURT
IN W.P.(C).NO.21841/2014 DATED 21-08-2014.**
- P4 : TRUE COPY OF THE RECEIPT FOR THE PAYMENT OF RS.1,25,000/-
DATED 26-02-2015.**
- P5 : TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE
THE HONOURABLE CHIEF MINISTER DATED 29-06-2015.**
- P6 : TRUE COPY OF THE REPRESENTATION BEFORE THE 1ST RESPONDENT
DATED 09-07-2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 25145 of 2015

Dated this the 20th day of August, 2015

JUDGMENT

The petitioner challenging SARFAESI proceedings has approached this Court. The petitioner had approached on an earlier occasion in W.P.(C) No.21841/2014 dated 21.08.2014 as produced in Ext.P3. It appears that the petitioner has not paid the entire amount. Therefore, the respondent-Bank initiated further steps.

2. The learned counsel for the Bank submits that they have now offered a One Time Settlement Scheme and the amount has been reduced to Rs.2,56,000/- and if the petitioner pays the amount, they will defer all the further steps.

3. The learned counsel for the petitioner seeks further time to discharge the entire liability in instalments.

Considering the above, the petitioner shall settle the amount under One Time Settlement Scheme along with future interest, if any, in six instalments starting from 15.09.2015 and following on 15th of every month.

The writ petition is disposed of as above. No costs.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE