IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

WP(C).No. 25198 of 2015 (Y)

PETITIONER :

G. BABU
AGED 55 YEARS, S/O.GEORGE,
BBRB COTTAGE, 3, MYLEKONAM KILLI
KATTAKKADA, THIRUVANANTHAPURAM.

BY ADV. SRI.SABU S. KALLARAMOOLA

RESPONDENT :

HDFC BANK
3RD FLOOR, SL PLAZA, PALARIVATTOM
ERNAKULAM - 682 017
REPRESENTED BY ITS AUTHORISED OFFICER.

BY ADV. SRI.T.RAJESH, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

WP(C).No. 25198 of 2015 (Y)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1. COPY OF MC.NO. 425/15 FILED BEFORE THE CJM COURT, THIRUVANANTHAPURAM.

EXHIBIT P2. COPY OF CONSENT LETTER DATED 24.7.15.

EXHIBIT P3. COPY OF RECEIPT DATED 24.7.15 SHOWING PAYMENT OF RS. 50,000/-

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.25198 of 2015

Dated this the 21st day of August, 2015

<u>J U D G M E N T</u>

The petitioner has availed two loan from the respondent bank i.e. term loan and the cash credit facility. The term of the cash credit facility is over. The total liability of the petitioner is more than Rs.9 lakhs. The overdue amount in term loan is around Rs.1.36 lakhs.

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

i) The petitioner shall clear the overdue amount in term loan and the entire liability in cash credit in ten equal monthly instalments along with regular EMI in term loan commencing from 20.9.2015.

ii) If the petitioner clears the over due amount in term loan and entire liability in cash credit, the term loan account shall be regularised.

iii) If the petitioner commits default in any one of the instalments, 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/