

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. 25227 of 2015 (C)

PETITIONER :

**SYAMALA
AGED 60 YEARS, W/O.DAYANANDAN,
VATTATHARAKIZHAKETHIL, VILLIMANGALAM
MUNROETHURUTH P.O., KOLLAM DISTRICT.**

BY ADV. SMT.G.VIDYA

RESPONDENT(S) :

- 1. THE KOLLAM DISTRICT CO-OPERATIVE BANK LTD.,
REPRESENTED BY THE BRANCH MANAGER
ANCHALUMMOODU BRANCH, KOLLAM.**
- 2. THE AUTHORISED OFFICER
THE KOLLAM DISTRICT CO-OPERATIVE BANK LTD
KOLLAM.**

R1 & R2 BY ADV. SRI.T.R.HARIKUMAR, SC

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

Mn

...2/-

WP(C).No. 25227 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1. COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DATED
27.7.15 AND ENGLISH TRANSLATION.**

**EXHIBIT P2. COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
DATED 11.6.15.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 25227 of 2015

Dated this the 21st day of August, 2015

JUDGMENT

The petitioner availed a loan from the 1st respondent-Bank in the year 2002. She challenges SARFAESI proceedings.

2.The learned counsel for the petitioner submits that the petitioner is a sixty years old lady and is unable to pay the liability.

3. The learned counsel for the Bank submits that the total liability of the petitioner which would come around Rs.2,20,231/-.

4. This Court is of the view that the petitioner should be given sufficient time to discharge the entire liability.

5. Accordingly, the following directions are issued :

i) The petitioner shall remit Rs.20,000/- within one month from today.

ii) Thereafter, the petitioner shall continue to remit Rs.5,000/- per month for a period of nine months.

iii) And in the tenth month, the petitioner shall discharge the entire balance amount to the Bank.

iv) If any scheme is floated for a settlement of liability, necessarily, the scheme shall also be extended to the petitioner notwithstanding the directions in the judgment.

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

Sd/-

A. MUHAMED MUSTAQUE, JUDGE

bpr