

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 27668 of 2015 (G)

PETITIONER(S):

**S.KALADHARAN, AGED 47 YEARS,
S/O.LATE MR. SEKHARAN, MADATHIL HOUSE, ALPUPURAM P.O.
UDYOGAMANDAL, ERNAKULAM - 683 504.**

**BY ADVS.SRI.SHAJI CHIRAYATH
SMT.JIJI M. VARKEY
SMT.SAVITHA GANAPATHIYATAN
SRI.M.M.SHAJAHAN**

RESPONDENT(S):

- 1. UNION OF INDIA,
MINISTRY OF FINANCE DEPARTMENT OF FINANCIAL SERVICES,
3RD FLOOR, JEEVAN DEEP BUILDING, SANSAD MARG,
NEW DELHI - 110001,
REPRESENTED BY ITS FINANCE SERCRETARY.**
- 2. FEDERAL BANK LIMITED,
REGISTERED OFFICE, ALUVA P.O., ERNAKULAM DISTRICT,
PIN - 683 101, REPRESENTED BY ITS MANAGING DIRECTOR.**
- 3. BRANCH MANAGER,
FEDERAL BANK LIMITED, MADAVANA, PANANGAD P.O.,
ERNAKULAM - 682 506.**
- 4. AUTHORISED OFFICER,
FEDERAL BANK LIMITED, STRESSED ASSET MANAGEMENT CELL,
ZONAL OFFICER, FEDERAL TOWERS, IST FLOOR
MARINE DRIVE, ERNAKULAM - 682 031.**

**R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
R2-4 BY ADVS. SRI.A.ANTONY
SMT.LEELAMMA ANTONY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 27668 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE SALE NOTICE ISSUED BY THE 4TH RESPONDENT.

EXHIBIT-P2- TRUE COPY OF THE ACCOUNT FROM 17/08/2007 TO 01/09/2015.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.27668 OF 2015 (G)

Dated this the 3rd day of November, 2015

J U D G M E N T

The petitioner, who had availed of a housing loan from the respondent bank, and defaulted in repayment of the same, has approached this Court through the present writ petition aggrieved by Ext.P1 sale notice that is issued by the respondent bank, putting the secured asset to sale for realisation of the defaulted loan amount. Although this Court, by an order dated 14.9.2015, granted an interim stay of further proceedings pursuant to Ext.P1 sale notice, when the matter was taken up for orders today, it is submitted by counsel for the respondent bank that, as there were no bidders for the sale that was notified by Ext.P1 notice, the respondent bank has cancelled the said notice and, as and when they propose to go in for a fresh sale, due intimation of the fact would be given to the petitioner. Taking note of the said submission of counsel for the respondent bank, I am of the view that the present grievance of the petitioner, as espoused in the writ petition, does not survive. Accordingly, the writ petition is closed by recoding the submission of counsel for the respondent bank that Ext.P1 sale notice has been cancelled.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/3/11/15