

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

WP(C).No. 28511 of 2015 (L)

PETITIONER :

**JAMALUDEEN KUNJU, AGED 56 YEARS,
S/O.HASANARU KUNJU, RASIYA COTTAGE,
MEMANA, OCHIRA P.O, KOLLAM, PIN - 690 526.**

BY ADV. SRI.N.MANU THAMPI

RESPONDENT(S):

- 1. THE ASST. GENERAL MANAGER,
CATHOLIC SYRIAN BANK LTD, PUTHIYAKAVU BRANCH,
PUTHIYAKAVU, KS PURAM, KARUNAGAPPALLY,
KOLLAM - 690 544.**
- 2. AUTHORISED OFFICER (DY. ZONAL MANAGER),
CATHOLIC SYRIAN BANK LTD, ZONAL OFFICE, IST FLOOR,
MALANKARA BUILDING COMPLEX,
UNIVERSITY CAMPUS P.O. PALAYAM,
THIRUVANANTHAPURAM - 695 034.**

**R1 & R2 BY SRI.R.S.KALKURA
SRI.C.A.JOY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 28511 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF DEATH CERTIFICATE DATED 14.9.2015

EXT.P-2: TRUE COPY OF THE AUCTION SALE NOTICE DATED 5.2.2015

EXT.P-3: TRUE COPY OF THE POSSESSION NOTICE DATED 3.9.2015

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No.28511 of 2015

Dated this the 19th day of October, 2015

JUDGMENT

The petitioner who had availed of a loan from the respondent bank defaulted in repayment of the same, approached this Court when faced with recovery steps initiated by the respondent bank for recovery of the amounts outstanding from the petitioner. By an interim order dated 23/09/2015, the petitioner was directed to pay an amount of Rs.10,00,000/- on or before 03/10/2015 as a condition for grant of interim stay against recovery proceedings initiated against the petitioner by the respondent bank. Thereafter, when the matter was called on 05/10/2015, the matter was adjourned to 08/10/2015. On 08/10/2015, the counsel for the petitioner sought time till 16/10/2015 to report compliance with the directions in the interim order. When the matter was called up today, it is submitted that the petitioner has not complied with the directions in the interim order referred to above. Under the circumstances, I am of the view that the petitioner is not entitled to any discretionary relief of this Court in these proceedings under Article 226 of the Constitution of India. The writ petition therefore fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**