

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 31359 of 2015 (T)

PETITIONER:

**S.AJITHA, W/O.THE LATE DEVARAJAN,
AGED 53 YEARS,T.C 5/651, DPN-119,
OOLAMPARA , PEROORKADA P.O,
THIRUVANANTHAPURAM - 695 005.**

BY ADV. SRI.R.GOPALAKRISHNAN (SREEVALSAM)

RESPONDENT(S):

- 1. THE AUTHORISED OFFICER,
KERALA STATE CO-OPERATIVE BANK LTD,
REGIONAL OFFICE,
STATE CO-OPERATIVE BANK BUILDINGS,
OVER BRIDGE JUNCTION, THIRUVANANTHAPURAM.**
- 2. THE KERALA STATE CO-OPERATIVE BANK,
HEAD OFFICE, COBANK TOWERS, PALAYAM,
THIRUVANANTHAPURAM - 695 033,
REPRESENTED BY MANAGING DIRECTOR.**

BY SRI.GEORGE POONTHOTTAM, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 31359 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1 : COPY OF AUCTION NOTICE U/S. 13(4) DATED 01-09-2015.

**EXT.P2 : CERTIFICATE ISSUED BY THE AGRICULTURAL OFFICER EVIDENCING
AGRICULTURAL LAND.**

RESPONDENT(S)' EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.
.....
W.P.(C).No.31359 of 2015
.....
Dated this the 16st day of October, 2015

J U D G M E N T

In this writ petition, the petitioner is aggrieved by the recovery steps initiated by the respondent bank under the Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002, hereinafter referred to as the 'SARFAESI Act', to recover the defaulted loan amounts from the petitioner. When the matter came up for admission, the learned counsel for the petitioner seeks only a limited indulgence from this Court of staying the recovery proceedings for two weeks, so as to enable the petitioner to approach the Debt Recovery Tribunal for appropriate redressal of his grievances. Taking note of the said submission of counsel for the petitioner, I dispose the writ petition by granting a stay of further proceedings pursuant to Ext.P1 notice issued to the petitioner for a period of two weeks, so as to enable the petitioner to pursue his alternate remedy before the Debt Recovery Tribunal.

The writ petition is disposed as above.

A.K.JAYASANKARAN NAMBIAR
JUDGE

