

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 9TH DAY OF JANUARY 2015/19TH POUSHA, 1936

WP(C).No. 32279 of 2014 (H)

PETITIONER(S) :

1. V.T.FRANCIS  
S/O.THOMAS, AGED 60 YEARS, VADAYATTU HOUSE  
POONJAR THEKKEKARA VILLAGE, CHOLATHADAM MURI  
MEENACHIL TALUK, KOTTAYAM DISTRICT.
2. ALICE FRANCIS,  
W/O.FRANCIS, AGED 55 YEARS, VADAYATTU HOUSE  
POONJAR THEKKEKARA VILLAGE, CHOLATHADAM MURI  
MEENACHIL TALUK, KOTTAYAM DISTRICT
3. SHINOJ FRANCIS,  
S/O.FRANCIS, AGED 29 YEARS, VADAYATTU HOUSE  
POONJAR THEKKEKARA VILLAGE, CHOLATHADAM MURI  
MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADVS.SRI.K.S.HARIHARAPUTHRAN  
SRI.M.D.SASIKUMAR  
SRI.GEORGE MATHEW  
SRI.A.G.SUNIL KUMAR  
SRI.DIPU JAMES

RESPONDENT(S) :

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES  
NEAR CENTRAL STADUM, THIRUVANANTHAPURAM -695001
2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),  
MEENACHIL, PALA, KOTTAYAM DISTRICT-686 575
3. THE ARBITRATION & EXECUTION INSPECTOR  
OFFICE OF THE ASSISTANT REGISTRAR (GENERAL) OF CO-OP. SOCIETIES  
MEENACHIL, PALA P.O., KOTTAYAM -686 575.
4. POONJAR SERVICE CO-OPERATIVE BANK NO.3963  
POONJAR THEKKEKARA P.O, ERATTUPETTA, KOTTAYAM-686 582.

R1 TO R3 BY GOVT. PLEADER SRI. GIKKU JACOB  
R4 BY ADV. SRI. P.V. BABY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09-01-2015,  
ALONG WITH WP(C) NO. 33081/2014 & WP(C) NO. 33082/2014, THE COURT ON  
THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :  
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- EXT.P1 - TRUE COPY OF AWARD DTD.18-03-2013 IN ARC NO.424 OF 2013.
- EXT.P2 - TRUE COPY OF AWARD DTD.18-03-2013 IN ARC NO.425 OF 2013.
- EXT.P3 - TRUE COPY OF AWARD DTD.18-03-2013 IN ARC NO.427 OF 2013.
- EXT.P4 - TRUE COPY OF DEMAND NOTICE DTD.24-10-2014 IN EA NO.458  
OF 2014 IN ARC NO.424 OF 2013.
- EXT.P5 - TRUE COPY OF DEMAND NOTICE DTD.24-10-2014 IN EA NO.459  
OF 2014 IN ARC NO.425 OF 2013.
- EXT.P6 - TRUE COPY OF DEMAND NOTICE DTD.24-10-2014 IN EA NO.460  
OF 2014 IN ARC NO.427 OF 2013.

RESPONDENT(S)' EXHIBITS : NIL  
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//TRUE COPY//

P.A. TO JUDGE

Mn

**V. CHITAMBARESH, J**

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**WP(C) NOs. 32279, 33081 & 33082 OF 2014**  
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Dated this the 9<sup>th</sup> day of January, 2015

**JUDGMENT**

The petitioners in these Writ Petitions are the parents and their son. They had availed three separate loans from the fourth respondent bank. The bank filed arbitration cases and awards have been passed therein. The awards which have become final are now put into execution.

2. The petitioners seek easy instalments to pay the award amounts. They are also eager to avail of One Time Settlement scheme if any. They contend that a waiver of interest would be conducive to their present circumstances.

3. I permit the petitioners to pay the amount due in ten equal monthly instalments starting from 16.02.2015. The coercive steps in execution of the awards shall be put on hold if the petitioners comply with the conditions in time. The coercive steps can surge ahead if the petitioners commit default in the payment of any one of the instalments.

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4. Nothing said herein above will disable the petitioners from availing the benefit of One Time Settlement scheme if any. The bank is also at liberty to waive the future interest if it so desires to do on motion made by the petitioners.

The Writ Petitions are disposed of.

**V. CHITAMBARESH  
JUDGE**

ncd