

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 34633 of 2015 (D)

PETITIONER :

**M/S. WORLDWORD RESORTS & ENTERTAINMENT INDIA PVT LTD.
CORPORATION IDENTITY NO.U 55100KL 2010PTCO26333
REGD. OFFICE AT COCHIN CORPORATION, DOOR NO.1577 A
WARD NO.47, THURUTHIYIL BUILDING, GEETHANJALI ROAD,
NH BYEPASS, VYTILLA PO, ERNAKULAM-682019
REPRESENTED BY ITS MANAGING DIRECTOR,
MR.JOSY MATHEW.**

**BY ADVS.SRI.DENY JOSEPH
SRI.JOHN VIPIN**

RESPONDENTS :

- 1. ANTONY P.A.,
PALLATH HOUSE, COCHIN CORPORATION, DOOR NO.41/1326
PALARIVATTOM P.O., ERNAKULAM-682025.**
- 2. DEPUTY TAHSILDAR (RR)
TALUK OFFICE, DEVIKULAM-685 613.**

R2 BY GOVERNMENT PLEADER SRI. R. RANJITH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 34633 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE ORDER IN CC NO. 807/12 OF CONSUMER DISPUTES
REDRESSAL FORUM AT ERNAKULAM DT 18/5/2013.**
- P2: COPY OF THE NOTICE ISSUED BYT HER R2 DT 7/10/2015.**
- P3: COPY OF RECEIPTS ISSUED BY THE R1 DT 11/12/2014 AND 8/1/2015.**

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.34633 of 2015

.....
Dated this the 17th day of November, 2015

J U D G M E N T

The petitioner, who is faced with recovery streps for recovery of amounts confirmed against him by an order of the Consumer Redressal Forum seeks the facility of instalments to discharge the liability fastened on him.

2. I have heard the learned counsel appearing on behalf of the petitioner and the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with the following directions:-

(i) If the petitioner pays the amounts demanded (Rs.3,70,000/- together with accrued interest and other charges) as shown in Ext.P2 notice issued to him in four equal and successive monthly instalments commencing from 10.12.2015, then further proceedings for recovery shall be kept in abeyance.

(ii) It is made clear that, if the petitioner commits a default in respect of any of the

instalments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against them from the stage at which they presently stand.

(iii) The respondents shall verify, if any amount has been paid by the petitioner pursuant to Ext.P2 demand notice issued to him, and if any such payment has been made then the respondents shall give due credit to the said payment also.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/17.11.15

