

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYASHTA, 1937

WP(C).No. 35150 of 2014 (P)

PETITIONER(S) :

**VINOD.N.,
SON OF NEELAMBHARAN, PALACHIRAYIL, S.ARAYD,
AVALOOKKUNNU P.O., ALAPPUZHA, PIN- 688 006.**

**BY ADVS.SRI.T.P.SAJAN
SRI.M.MOHAMED NVAZ
SRI.P.SANTHOSH KUMAR (TR)**

RESPONDENT(S) :

**1. THE ALLEPPY URBAN CO-OPERATIVE BANK LTD.,
REPRESENTED BY ITS MANAGER, PITCHU IYER JN.,
CULLEN ROAD, ALAPPUZHA-688 001.**

**2. THE AUTHORISED OFFICER,
THE ALAPPUZHA URBAN CO-OPERATIVE BANK LTD.,
CULLEN ROAD, ALAPPUZHA-688 001.**

BY ADV. SMT.SHEELADEVI

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 35150 of 2014 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF 13(2) NOTICE DATED 12.05.2014 ISSUED BY
THE SECOND RESPONDENT.**

**EXHIBIT-P2: TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER DATED 10.12.2014.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.35150 of 2014

Dated this the 1st day of June, 2015

JUDGMENT

The petitioner impugns SARFAESI proceedings before this Court. Exts.P1 and P2 are the notices.

2. While admitting the writ petition, there was an order of status quo on condition that the petitioner remits Rs.50,000/- in two instalments. The petitioner remitted the above amount. According to the petitioner, the balance would come around is Rs.1,98,000/-. The petitioner seeks indulgence before this Court in paying the amount in 20 instalments. The petitioner submits that he has also paid Rs.1 lakh in addition to Rs.50,000/- and the remaining liability is less than Rs.1 lakh.

Considering the facts and circumstances, the petitioner is permitted to pay off the balance amount in 15 instalments

starting from the month of July, 2015. If the petitioner commits default in remitting two of the instalments, the Bank is at liberty to proceed against the petitioner. To work out the above relief, all coercive steps against the petitioner shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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