

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

WP(C).No. 36276 of 2015 (H)

PETITIONER(S):

**JACOB THOMAS,
VENGALLOOR HOUSE, VAZHOOR P.O., PALLICKATHODU,
KOTTAYAM, KERALA.**

**BY ADVS.SRI.C.S.MANILAL
SRI.S.NIDHEESH**

RESPONDENT(S):

**THE ORIENTAL BANK OF COMMERCE,
KORATTIYIL COMPLEX, SASTRY ROAD, KOTTAYAM,
REPRESENTED BY THE AUTHORIZED OFFICER, PIN-686 001.**

BY SRI.SAJI P.JOSEPH, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 36276 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : COPY OF THE RECEIPTS.

P2 : COPY OF THE NOTICE DTD.7.3.2014.

P3 : COPY OF THE JUDGMENT IN WPC NO.10003/14 DTD.11.4.2014.

P4 : COPY OF THE RECEIPT DTD.30.4.2015.

P5 : COPY OF THE NOTICE DTD.24.11.2015.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.36276 of 2015

Dated this the 1st day of December 2015

JUDGMENT

The challenge in the writ petition is against the recovery steps initiated by the respondent bank for recovery of defaulted loan amounts from the petitioner. When the matter was taken up for admission, it was noticed that the petitioner had earlier approached this Court through W.P.(C).No.10003/2014, when faced with similar recovery proceedings initiated by the respondent bank in the past. On that occasion, by Ext.P3 judgment, the petitioner was accorded the facility of repaying the defaulted loan amounts in instalments. It is not in dispute that the petitioner did not comply with the said directions in Ext.P3 judgment of this Court. Under the said circumstances, I am of the view that the petitioner cannot seek any discretionary relief from this Court in these proceedings under Article 226 of the Constitution of India.

The writ petition fails and is accordingly dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/