

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39817 of 2015 (B)

PETITIONER:

ROY VARGHESE, AGED 40 YEARS,
S/O. LATE VARGHESE,
VADASSERIL HOUSE,
KOCHARA P.O., CHETTUVAZHI,
KARUNAPURAM VILLAGE,
UDUMPANCHOLA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI.VARGHESE C.KURIAKOSE

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPT. OF CO-OPERATION,
SECRETARIAT, TRIVANDRUM - 695 001.
2. THE DEPUTY REGISTRAR,
(ARBITRATOR CUM SPECIAL SALE OFFICER),
IDUKKI DISTRICT CO-OP. BANK,
IDUKKI - 685 230.
3. THE IDUKKI DISTRICT CO-OP. BANK NO.434,
CHERUTHONI, IDUKKI,
REP. BY ITS DEPUTY GENERAL MANAGER,
PIN: 685 230.
4. THE BRANCH MANAGER,
THE IDUKKI DISTRICT CO-OP. BANK NO.434,
VANDANMEDU BRANCH, IDUKKI DISTRICT - 685 380.

R BY SRI. G. GOPAKUMAR, GOVERNMENT PLEADER
R BY SRI.LIJI J.VADAKKEDOM, SC, IDUKKI DIST. CO. OP.BANK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

: 2 :

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1 : TRUE PHOTOSTAT COPY OF THE INTERIM ORDER DATED 19.11.2014 IN S.A. NO. 417/2014 PASSED BY THE DRT, ERNAKULAM.
- EXT.P2 : TRUE PHOTOSTAT COPY OF THE PETITION IN ARC NO.619/2015 BEFORE THE HONOURABLE JOINT REGISTRAR, IDUKKI DISTRICT CO-OP. SOCIETY.
- EXT.P3 : TRUE PHOTOSTAT COPY OF THE SUMMONS.
- EXT.P4 : TRUE PHOTOSTAT COPY OF THE WRITTEN STATEMENT PREPARED FOR SUBMISSION.
- EXT.P5 : TRUE PHOTOSTAT COPY OF THE APPLICATION SEEKING PERMISSION TO ADDUCE EVIDENCE.
- EXT.P6 : TRUE PHOTOSTAT COPY OF THE COVER PORTION CONTAINING THE ORIGINAL WRITTEN STATEMENT AND PETITION.
- EXT.P7 : TRUE PHOTOSTAT COPY OF THE PETITION DATED 10.12.2015.
- EXT.P8 : TRUE PHOTOSTAT COPY OF THE COVER CONTAINING APPLICATION DATED 12.12.2015 RETURNED UNSERVED.
- EXT.P9 : TRUE PHOTOSTAT COPY OF THE ACKNOWLEDGMENT CARD RETURNED BY THE OFFICE OF THE THIRD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 39817 of 2015 (B)

Dated this the 23rd day of December, 2015.

JUDGMENT

Heard the learned counsel for the petitioner, the learned Government Pleader, and the learned counsel for the respondent Bank, apart from perusing the record.

2. The petitioner, a defendant in ARC No. 619 of 2015 apart from being a borrower from the third respondent Bank, apprehended that an award had already been passed behind his back. The learned counsel for the petitioner has submitted that he was made to rush to the Court on account of the fact that despite his best efforts, the petitioner could not get any information from respondents 2 to 4 as regards the status of ARC.

3. The learned counsel for respondents 2 to 4 has submitted that ARC is still pending. And the petitioner will be put on notice concerning the next date of hearing. He has assured the Court that the second respondent will consider the pending ARC on merits and pass appropriate award in the course of time, especially after intimating the petitioner about the next date of hearing.

In the facts and circumstances, I do not find any issue to be adjudicated upon. As a result, this writ petition is closed.

sd/- DAMA SESHADRI NAIDU, JUDGE.

rv