IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE MR. A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR. JUSTICE S.MANU

THURSDAY, THE 25TH DAY OF JULY 2024 / 3RD SRAVANA, 1946

WA NO. 1049 OF 2024

AGAINST THE JUDGMENT DATED 08.07.2024 IN WP(C)NO.23629 OF 2024

OF HIGH COURT OF KERALA

APPELLANT/PETITIONER :

K.A.GOPINATH
AGED 62 YEARS
S/O. K.C. BALAKRISHNAN NAIR, 'GAYATHRI, P.O. KUTHIRAVATTOM, KOZHIKODE, PIN - 673016

BY ADVS.
S.S.ARAVIND
TINU ABRAHAM

RESPONDENTS/RESPONDENTS :

1 **THE MANAGER,**
THE CALICUT CO-OPERATIVE URBAN BANK LTD.,
POOVATTUPARAMBA BRANCH, KOZHIKODE, PIN - 673008

2 **THE AUTHORIZED OFFICER/ASSISTANT GENERAL MANAGER (IN-CHARGE) THE CALICUT CO-OPERATIVE URBAN BANK LTD. NO.1538**
KALLAYI ROAD, KOZHIKODE, PIN – 673002

BY SRI.K.P.HARISH, SR.GOVERNMENT PLEADER
SRI.DEVAPRASANTH P.J., STANDING COUNSEL

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 25.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

A.Muhamed Mustaque, Acg.C.J.

The appellant had approached the Debt Recovery Appellate Tribunal (DRAT) challenging an order of the Debt Recovery Tribunal (DRT). The appellant seeks a breathing time to prosecute the matter before the DRT and to protect his property in the meanwhile. The learned Single Judge did not interfere with this matter. We are also not inclined for the same.

However, we order that coercive steps be deferred for a period of three weeks on condition that the appellant shall deposit Rs.5,00,000/- (Rupees Five lakhs only) within a week before the bank. We make it clear that it is for the DRAT to consider whether stay can be granted after three weeks. We are not passing any order beyond three weeks.

This Writ Appeal is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE,
ACTING CHIEF JUSTICE

Sd/-
S.MANU,
JUDGE

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