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

MONDAY, THE 29TH DAY OF JULY 2024 / 7TH SRAVANA, 1946

WA NO. 1052 OF 2024

AGAINST THE JUDGMENT DATED 09.07.2024 IN WP(C) NO.15350 OF 2024

OF HIGH COURT OF KERALA

APPELLANT/PETITIONER IN WPC:

MUSTHAFA ADIYATTIL
AGED 51 YEARS
S/O. KAMMU, ADIYATTIL HOUSE,
VALIYA PARAPPUR, ANANTHAVOOR P.O.,
MALAPPURAM DISTRICT, PIN - 676301
BY ADV C.M.MOHAMMED IQUABAL

RESPONDENTS/RESPONDENTS IN WPC:

1 **THE KERALA STATE CO-OPERATIVE BANK**
(ERSTWHILE MDC BANK),
REPRESENTED BY ITS MANAGER,
MALAPPURAM DISTRICT OFFICE,
MANJERI ROAD, UPHILL,
MALAPPURAM, PIN - 676317

2 **THE BRANCH MANAGER**
KERALA STATE CO-OPERATIVE BANK
(ERSTWHILE MDC BANK), KARATHUR BRANCH,
CODACAL P.O., MALAPPURAM DISTRICT,
PIN – 676108
BY ADV.SRI.GILBERT GEORGE CORREYA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 29.07.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J U D G M E N T

A.Muhamed Mustaque, Acg.C.J.

This appeal has been preferred by the writ petitioner. The petitioner questioned the SARFAESI proceedings before the learned Single Judge. The learned Single Judge passed an interim order initially. That was not complied with. Noting that the petitioner had not complied with the interim order, the learned Single Judge dismissed the writ petition.

The Honourable Supreme Court has reminded this Court that this Court should not entertain the challenges against the SARFAESI proceedings. Therefore, we will not be in a position to interfere with this matter. However, to enable the petitioner to work out any settlement with the bank, the coercive steps shall be deferred for a period of three weeks from today.

This writ appeal stands disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE,
ACTING CHIEF JUSTICE

Sd/-
S.MANU,
JUDGE

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