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

FRIDAY, THE 2ND DAY OF AUGUST 2024 / 11TH SRAVANA, 1946

WA NO. 1116 OF 2024

AGAINST THE ORDER/JUDGMENT DATED IN WP(C) NO.1219 OF 2024 OF HIGH COURT OF KERALA

APPELLANT/S:

SATHEESH KUMAR T
AGED 53 YEARS
S/O THANKAPPAN NAIR, TC 52/898, VAISAKH, THAMPURAN NAGAR, STUDIO ROAD, INDUSTRIAL ESTATE P.O, THIRUVAANTHAPURAM., PIN - 695019

BY ADVS.
VISHNU BHUVANENDRAN
ABHILASH C.V.
B.ANUSREE
DEVAKUMAR R.T.
GAURIKALYANI S.
MIRAL K.JOY
VARUN JACOB

RESPONDENT/S:

THE SOUTH INDIAN BANK LTD.
TC 31/151, YWCA BUILDINGS, 3RD FLOOR, M.G ROAD, STATUE JUNCTION, GPO, THIRUVANANTHAPURAM. REPRESENTED BY ITS AUTHORIZED OFFICER., PIN - 695001

SRI.SUNIL SHANKER (SC)

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 02.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 2nd day of August 2024

A.Muhamed Mustaque, Acg.C.J.

This appeal is preferred by the writ petitioner, who challenged the SARFAESI proceedings and approached this Court. There was an interim order deferring coercive proceedings on the condition that Rs.10 lakhs be paid within a period of two weeks. It was not paid by the appellant. Noting that the interim order has not been complied, the writ petition is dismissed.

2. We also find absolutely no reason to interfere in this matter. However, taking note of the request made by the learned Counsel for the appellant, we grant two weeks time from today to settle the entire liability with the bank. Coercive proceedings shall be deferred for a period of two weeks. However, we make it clear

that if the appellant fails to settle the liability towards the bank, the bank is free to proceed against the appellant.

The writ appeal is disposed of.

sd/

A.MUHAMED MUSTAQUE

ACTING CHIEF JUSTICE

sd/

S.MANU

JUDGE

jm/