IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 15519 OF 2025

PETITIONER/S:

NEETHU HARIDASAN
AGED 38 YEARS
D/O MEERA HARIDASAN, KAITHAKKAL HOUSE, NARAYANEEYAM
CHITTATTUKARA PO, THRISSUR, PIN - 680511

BY ADV MOHAMMED ASHRAF

RESPONDENT/S:

1 **PUNJAB NATIONAL BANK**
GURUVAYUR BRANCH, REPRESENTED BY ITS BRANCH MANAGER,
WEST NADA, GURUVAYUR, THRISSUR, PIN - 680101

2 **AUTHORISED OFFICER**
PUNJAB NATIONAL BANK, CIRCLE SASTRA, ERNAKULAM,
40/1461, 1ST FLOOR, CIRCLE OFFICE, PNB HOUSE, MARKET ROAD, ERNAKULAM, PIN - 68201

OTHER PRESENT:

SRI.SANTHEEP ANKARATH, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner has approached this Court challenging proceedings initiated under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 for recovery of the amounts due upon two housing loans availed by the petitioner and her husband.

2. During the course of hearing, petitioner has confined the relief to an opportunity for repaying the overdue amount in instalments and to obtain regularisation of the loan accounts.

3. It is submitted on behalf of the respondent bank submits that this is the second round of litigation at the instance of the petitioner and the petitioner had earlier approached this Court by filing W.P.(C) No.1823 of 2018. It is submitted that the account turned into Non Performing Asset status on 30.11.2024. It is submitted that the total overdue amount in both the loans availed by the petitioner as on 10.04.2025 is Rs.1,71,436.29/- and if the petitioner immediately repays the overdue amount, the loan accounts of the petitioner can be regularised.

4. Having heard the learned counsel for the petitioner and the

learned Standing Counsel for the respondent Bank and having regard to the facts and circumstances of the case and the submissions made as recorded above and also taking into account the fact that the petitioner has undertaken to clear off the overdue amount along with regular EMIs/instalments, I am of the view that the petitioner can be granted an opportunity to clear off the overdue amount in three (3) equal monthly instalments first of which shall be paid on or before 07.05.2025 and thereafter, if the amount so directed is repaid within the time as directed above, to have the loan account regularised.

5. Accordingly, there will be a direction to the respondent bank to accept repayment of the entire overdue amount of Rs.1,71,436.29/- along with interest, bank charges and costs from the petitioner and regularise the loan accounts of the petitioner in the following manner:

(i) The petitioner shall pay the overdue amount of Rs.1,71,436.29/- together with any accrued interest, bank charges and costs in three (3) equated monthly instalments;

(ii) The first instalment shall be paid on or before 07.05.2025 and the subsequent instalments shall be paid on or before

the 7th day of each succeeding month;

(iii) Petitioner shall continue to pay the regular EMI's/ instalments along with the instalments directed above;

(iv) In the event of default of any one instalment, the respondent bank shall be entitled to proceed in accordance with the law;

(v) In order to enable the petitioner to repay the entire amounts, all coercive proceedings shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

GOPINATH P.
JUDGE

Scl/

APPENDIX OF WP(C) 15519/2025

PETITIONER EXHIBITS

Exhibit P1	**TRUE COPY OF THE POSSESSION NOTICE DATED 11.03.2025**