

**Aboobacker Vs. the Oriental Bank of Commerce**

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**SooperKanoon Citation :** [sooperkanoon.com/1016554](http://sooperkanoon.com/1016554)

**Court :** Kerala

**Decided On :** Jul-30-2013

**Judge :** Honourable Mr.Justice V.Chitambaresh

**Appellant :** Aboobacker

**Respondent :** The Oriental Bank of Commerce

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE V.CHITAMBARESH TUESDAY, THE 30TH DAY OF JULY 2013 8TH SRAVANA, 1935 WP(C).No. 18395 of 2013 (Y) ----- PETITIONER(S): ----- 1. ABOOBECKER, AGED 7 YEARS S/O.HABEEB, PROPRIETOR, ASHA LAB INDUSTRIES TC 16/760, JAGATHY, TRIVANDRUM.

2. SMT.SHAHIDA ABOOBECKER, AGED 5 YEARS W/O.ABOOBECKER, HOUSE NO.427, DARUL ARFA SREE 8 EDAVA, THIRUVANANTHAPURAM. BY ADVS.SRI.S.SACHITHANANDA PAI SMT.K.S.JEENA REETHA RESPONDENT(S): ----- 1. THE ORIENTAL BANK OF COMMERCE TC 13/1617, SOBHA COMPLEX, KUMARAPURAM MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM-695 011.

2. AUTHORISED OFFICER ORIENTAL BANK OF COMMERCE, TC 13/1617, SOBHA COMPLEX KUMARAPURAM, MEDICAL COLLEGE P.O.

THIRUVANANTHAPURAM-695011. THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-07-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: APPENDIX IN W.P.(C) No.18395 of 2013 PETITIONER'S EXTS: EXT.P1 COPY OF THE NOTICE DATED 6 7.2013 OF THE SECOND RESPONDENT. //TRUE COPY// P.S. TO JUDGE V.CHITAMBARESH, J.

----- W.P (C) No.18395 of 2013 ----- Dated this the 30th day of July, 2013

## JUDGMENT

All that the petitioners pray is that they may be permitted to pay the overdue amount and get the loan account regularised. The period of the business loan expires in the year 2018 and the overdue amount comes to about ` 2 lakhs.

2. I permit the petitioners to pay the overdue amount in 4 equal monthly instalments starting from 1.9.2013. This will be in addition to the equated monthly instalments which the petitioners are otherwise obliged to pay. The petitioners shall file a representation to the first respondent Bank seeking to regularise the loan account. The representation if filed within a period of one month from today shall be dealt with by the first respondent Bank within two months therefrom. The coercive steps pursuant to Ext.P1 notice shall be put on hold if the petitioners comply with the conditions in time. The coercive proceedings can surge ahead if the petitioners commit default in the payment of any one of the instalments as directed. The Writ Petition is disposed of. V.CHITAMBARESH, Judge. nj.

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