

Anitha U.P vs the Arbitrator Cum the Special Sale Officer

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Court : Kerala

Decided On : Mar-27-2025

Judge : Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/12439/2025

Appellant : Anitha U.P

Respondent : The Arbitrator Cum the Special Sale Officer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MURALI
PURUSHOTHAMAN THURSDAY, THE 27TH DAY OF MARCH 2025 /
6TH CHAITHRA, 1947 WP(C) NO. 12439 OF 2025 PETITIONER:
ANITHA U.P AGED 45 YEARS W/O. LATE SREEKUMAR,
VAISHNAVAM, NEAR S.N. THEATRE, KILIMANOOR,
PAZHAYAKUNNUMMEL, CHIRAYINKEEZHU,
THIRUVANANTHAPURAM, PIN - 695 601. BY ADV M.R.SASITH
RESPONDENTS:

1 THE ARBITRATOR CUM THE SPECIAL SALE OFFICER OFFICE OF
THE ASSISTANT REGISTRAR OF COOPERATIVE SOCIETIES

(GENERAL), CHIRAYINKEEZHU, THIRUVANANTHAPURAM, PIN - 695 304. 2 THE PAZHAYAKUNNUMMEL SERVICE CO-OPERATIVE BANK LTD.NO.1517 REPRESENTED BY ITS SECRETARY, KILIMANOOR, THIRUVANANTHAPURAM, PAZHAYAKUNNUMMEL, KERALA, PIN - 695 601. 3 THE SECRETARY PAZHAYAKUNNUMMEL, KERALA, PIN - 695 601. 4 MANAGING COMMITTEE PAZHAYAKUNNUMMEL, KERALA REPRESENTED BY ITS PRESIDENT, PIN - 695 601.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioners late husband had availed a loan from the 2nd respondent Society. There was default in payment of installments. The petitioners husband committed suicide on 03.06.2021. Later, Ext.P1 Award was passed in the arbitration proceedings initiated by the Society. The petitioner has filed Exts.P2 and P4 representations informing the Society that she is willing to clear off the liability, if sufficient time is provided to pay the loan amount in monthly installments. The limited prayer of the petitioner is for a consideration of Ext.P4 representation by the 4th respondent, the Managing Committee of the 2nd respondent Society.

2. Heard the learned counsel for the petitioner. In the nature of the limited prayer made by the petitioner, notice to the respondents are dispensed with.

3. In the facts and circumstances of the

case and having regard to the submissions made across the Bar, there will be a direction to the 4 th respondent to consider Ext.P4, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner. Till such time orders are passed and communicated to the petitioner,

there shall not be any coercive steps pursuant to Ext.P1 Award. The writ petition is disposed of with the above direction. Sd/- MURALI PURUSHOTHAMAN JUDGE SPR

APPENDIX

PETITIONERS EXHIBITS:- EXHIBIT P1 THE TRUE COPY OF THE AWARD PASSED BY THE 1ST RESPONDENT IN ARC NO.488/2022 DATED 14.10.2024. EXHIBIT P2 THE TRUE COPY OF THE REPRESENTATION DATED 18.02.2025 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT. EXHIBIT P3 THE TRUE COPY OF THE POSTAL RECEIPT DATED 19.02.2025. EXHIBIT P4 TRUE COPY OF REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT DATED RESPONDENTS EXHIBITS:- NIL.

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