

Suma B. vs Parakode Service Co-Operative Bank (Ltd) No. 821

Suma B. vs Parakode Service Co-Operative Bank (Ltd) No. 821

SooperKanoon Citation : sooperkanoon.com/1286041

Court : Kerala

Decided On : May-31-2024

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/1524/2024

Appellant : SUMA B.

Respondent : Parakode Service Co-Operative Bank (Ltd) No. 821

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN FRIDAY, THE 31ST DAY OF MAY 2024 / 10TH JYAISHTA, 1946 WP(C) NO. 1524 OF 2024 PETITIONER: SUMA B. AGED 49 YEARS W/O.SURENDRAN, SURAJ BHAVAN, THONDALIL, PARAKKODE P.O., ADOOR VILLAGE, ADOOR TALUK, PATHANAMTHITTA DISTRICT, PIN - 691554 BY ADV A.SANIL KUMAR RESPONDENTS:

1 PARAKODE SERVICE CO-OPERATIVE BANK (LTD) NO. 821 REPRESENTED BY ITS SECRETARY, PARAKODE P.O., PATHANMTHITTA DISTRICT, PIN - 691554 2 ASSISTANT

REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL) OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), ADOOR, PATHANAMTHITTA DISTRICT, PIN - 691523 3 SPECIAL SALE OFFICER INSPECTOR OF CO-OPERATIVE SOCIETIES, PARAKODE S.C.B. GROUP, ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), ADOOR, PATHANAMTHITTA DISTRICT, PIN - SMT.SHEEJA C.S. - SR. GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON

31.05.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C) NO. 1524 OF 2024 2

JUDGMENT

The limited plea of the petitioner is that the 1st respondent - Bank be directed to allow her to pay off the overdue amount in the loan account in equal monthly installments so as to have it regularised. She submitted that she is constrained to make this request because of the financial constraints she is facing and hence being unable to make payment in lump sum.

2. The endorsements on the files of this case indicate that the petitioner has already taken out notice to the 1 st respondent - Bank by speed post.

3. It is rather distressing that the Bank has still refused to appear

before this Court. However, this cannot be a reason for this Court to refrain from passing appropriate orders. In the afore circumstances, I allow this writ petition, leaving liberty to the petitioner to approach the Bank with an appropriate representation seeking any relief/claim that she may make; and if this is done within a period of two weeks from the date of receipt of a copy of this judgment, the same shall be considered by the competent Authority of the said Bank, after affording her an opportunity of being heard, thus culminating in an appropriate order and necessary action WP(C) NO. 1524 OF 2024 3 thereon without any avoidable delay thereafter. Needless to say, until such time as the afore is done and the

resultant order communicated to the petitioner, the interim order

granted by this Court on 17.01.2024 will continue to be in operation. I, however, clarify that I have not entered into the merits of any of the claims of the petitioner and that they are left to be decided by the respondent - Bank appropriately. Sd/-
DEVAN RAMACHANDRAN JUDGE MC/5.6 WP(C) NO. 1524 OF 2024 4
APPENDIX OF WP(C) 1524/2024 PETITIONER EXHIBITS ExhibitP1 TRUE
COPY OF THE NOTICE DATED 03/10/2023 ISSUED BY THE 3RD
RESPONDENT TO THE PETITIONER

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com