

Delight John vs Branch Manager

Delight John vs Branch Manager

SooperKanoon Citation : sooperkanoon.com/1311559

Court : Kerala

Decided On : Jun-10-2024

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/7249/2024

Appellant : Delight John

Respondent : Branch Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN MONDAY, THE 10TH DAY OF JUNE 2024 / 20TH JYAISHTA, 1946 PETITIONER/S: DELIGHT JOHN AGED 54 YEARS S/O LATE JOHN, VELIYAVEETIL, CHALANCHUVADU P.O, IDUKKI, PIN - 685 606 BY ADV L.RAJESH NARAYAN RESPONDENT/S: 1 BRANCH MANAGER AND RURAL DEVELOPMENT BANK LTD, NO.I-681 H.O, KATTAPANA, IDUKKI, PIN - 685 602 2 AUTHORISED BRANCH MANAGER AND RURAL DEVELOPMENT BANK LTD, NO.I-681 VAZHATHOPPE BRANCH, IDUKKI, PIN - 685 602 3 SPECIAL SALE OFFICER AND RURAL DEVELOPMENT BANK LTD, NO.I-681 VAZHATHOPPE BRANCH, IDUKKI, PIN - 685 602 THIS WRIT

PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.06.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The limited plea of the petitioner is that the respondent - Bank be directed to allow him to regularize the loan account after accepting the outstanding amounts in easy installments and grant One Time Settlement facility to settle the outstanding amounts. He submits that he is constrained to make this request because of the financial constraints he 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 respondents by speed post.

3. It is rather distressing that the

respondents have 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 he 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 him an opportunity of being

heard, thus culminating in an appropriate order

and necessary action 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, all further proceedings pursuant to Ext.P7 shall stand deferred. I, however, clarify that I have not entered into the merits of the claims of the petitioner and that they are left to be decided by the respondent -

Bank appropriately. Sd/- DEVAN RAMACHANDRAN JUDGE pvv APPENDIX OF WP(C) 7249/2024 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE NOTICE DATED

11.11.2013 ISSUED BY THODUPUZHA PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD, NO.4388 TO THE PETITIONER

Exhibit P2 TRUE COPY OF THE NOTICE DATED 12.3.15

DEVELOPMENT BANK LTD, NO.4388 TO THE WIFE OF THE PETITIONER Exhibit P3 TRUE COPY OF THE NOTICE DATED 10.5.17 ISSUED BY THE IDUKKI TALUK PRIMARY CO- OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD, NO.I-681 Exhibit P4 TRUE COPY OF THE NOTICE DATED 14.6.2017 ISSUED BY THE IDUKKI TALUK PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD, NO.I-681 TO THE PETITIONER

Exhibit P5 TRUE COPY OF THE REQUEST DATED 12.6.2017 SUBMITTED BY THE PETITIONER TO THE RESPONDENT Exhibit P6 TRUE COPY OF THE STATEMENT DATED 13.6.17 Exhibit P7 TRUE COPY OF THE SALE NOTICE DATED 9.2.2024 PUBLISHED IN THE MATHRUBHUMI NEWSPAPER

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