

Pathutty vs Secretary

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Court : Kerala

Decided On : Apr-08-2024

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/12387/2024

Appellant : Pathutty

Respondent : Secretary

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN MONDAY, THE 8TH DAY OF APRIL 2024 / 19TH CHAITHRA, 1946 WP(C) NO. 12387 OF 2024 PETITIONER: PATHUTTY, AGED 62 YEARS, W/O THARUVAI, ALANTHODINTAVIDA HOUSE, CHEKKIAD, VADAKARA, KOZHIKODE DISTRICT, PIN - 673509 BY ADV M.P.PRIYESHKUMAR RESPONDENTS: 1 SECRETARY, CHEKKIAD SERVICE CO-OPERATIVE BANK LTD, CHEKKIAD POST, KOZHIKODE, PIN - 673509 2 A&E INSPECTOR/SALE OFFICER, OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERTIVE SOCIETIES (GENERAL) VADAKARA, KOZHIKODE DISTRICT, PIN - 673101 BY ADVS.

R.K.MURALEEDHARAN ATHIRA A.MENON(K/404/2012) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When this matter was called today, the learned Standing Counsel for the respondent-Bank, submitted that the total due in the loan account of the petitioner - put in by an Arbitration Award obtained by his client - involved in this case can be settled for a total amount of Rs.7,20,453 /-, as on 30.03.2024, along with all applicable charges and interest, provided an amount of Rs.2,00,000/ is paid by her on or before 30.05.2024 and the balance in not more than 15 equal monthly installments.

2. The learned counsel for the petitioner - Sri.Priyesh Kumar M.P., accepted the afore suggestion. Taking note of the afore submissions, I allow this Writ

Petition, permitting the petitioner to pay off the aforementioned amount, along with all applicable charges and interest, in 15 equal monthly installments commencing from 10.07.2024. Needless to say, if the amounts as afore are paid by the petitioner, the account will stand closed and the Bank will return to her all security documents as are necessary; but, if on the contrary, any two installments are defaulted, the benefit of this

judgment will be lost to her and the Bank will be at full liberty to

pursue further action pursuant to Ext.P1, without having to obtain further orders from this Court. It is also needless to say, therefore, that as long as the amounts as afore are paid, all further action pursuant to Ext.P1 will stand deferred. Sd/- RR DEVAN RAMACHANDRAN JUDGE APPENDIX OF WP(C) 12387/2024 PETITIONER EXHIBITS Exhibit P1 A TRUE COPY OF THE NOTICE DATED 20.03.2024 NUMBERED EP NO.574/2023

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