

Soumya, vs the Area Manager and Authorised Officer,

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Court : Kerala

Decided On : Apr-30-2024

Judge : Honourable Dr. Justice Kauser Edappagath

Appeal No. : WP(C)/16045/2024

Appellant : Soumya,

Respondent : The Area Manager and Authorised Officer,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
TUESDAY, THE 30TH DAY OF APRIL 2024 / 10TH VAISAKHA, 1946
WP(C) NO. 16045 OF 2024 PETITIONER: SOUMYA, AGED 37 YEARS
W/O MANOJ KUMAR,RENADEVA VILASAM, KOTTAVATTOM P.O.,
KOLLAM, PIN - 691322 BY ADV SHABU SREEDHARAN
RESPONDENT: THE AREA MANAGER AND AUTHORISED OFFICER,
KERALA BANK, KIZHAKETHERUVU BRANCH, PUNALUR, KOLLAM,
PIN - 691305

OTHER PRESENT: SRI.P.C.SASIDHARAN, SC THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 30.04.2024, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING: -:2:- Dated this the 30th day of April,

2024

JUDGMENT

Petitioner availed a consumption loan of Rs.6,00,000/- from the respondent - Bank by mortgaging her property. The petitioner defaulted the repayment of

the loan amount. Hence, proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, was initiated. The petitioner approached this Court by filing W.P. (C)No.7934/2023, seeking to direct the respondent to grant instalment facility to clear off the entire loan amount. As per Ext P2 judgment, this Court permitted the petitioner to clear off the overdue amount of Rs.4,07,165/- in 15 equal

monthly instalments. However, the petitioner could pay only two instalments.

2. The learned counsel for the petitioner submits

that the petitioner is prepared to clear off the entire balance amount within a period of six months. The learned counsel for the respondent is amenable for the same. - :3:- Hence, this writ petition is disposed of granting an

opportunity to the petitioner to clear off the entire amount due with interest within a period of six months from today. In case of default on the part of the petitioner, the Bank will be at liberty to proceed with the recovery proceedings. Subject to the above direction, the recovery proceedings against the petitioner shall be kept in abeyance for a period of six months.

Sd/- DR. KAUSER EDAPPAGATH, JUDGE DST/02.05.24 //True copy// P.A.To Judge -:4:- APPENDIX PETITIONER EXHIBITS

EXHIBIT - P1 THE TRUE COPY OF THE NOTICE DATED
ISSUED BY THE RESPONDENT RESPONDENTS EXHIBITS : NIL

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