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Aniyan vs the Kerala State Co-Operative Bank Represented by Authorised Officer

Aniyan vs the Kerala State Co-Operative Bank Represented by Authorised Officer

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Court : Kerala

Decided On : Jan-31-2023

Judge : Honourable Mr. Justice T.R.Ravi

Appeal No. : WP(C)/301/2023

Appellant : Aniyan

Respondent : The Kerala State Co-Operative Bank Represented by Authorised Officer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 301 OF 2023 PETITIONER: ANIYAN AGED 75 YEARS S/O. CHATHAN, PARAYILVALAPPU VEEDU, PUZHAKKARA DESAM ANNALLOOR VILLAGE, CHALAKUDI TALUK, THRISSUR - 680731 BY ADV S.S.ARAVIND RESPONDENT: THE KERALA STATE CO-OPERATIVE BANK REPRESENTED BY AUTHORISED OFFICER SAHAKARANA SHADABTHI MANDIRAM, KOVILAKATHUMPADAM, TRISSUR., PIN - 680022

BY ADV K.RAVIKUMAR OTHER PRESENT: SRI. P. C. SASIDHARAN, SC. THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C). No. 301 OF 2023 2

T.R. RAVI, J.

WP(C) No. 301 of 2023 Dated this the 31st day of January, 2023

JUDGMENT

The prayer in the writ petition is to permit the petitioner to pay off the overdue amounts in the loan account availed from the respondent in easy instalments and to regularise the loan account. The Standing Counsel on instructions submits that the overdue amount is Rs.5,40,728/-. In the above circumstances, the writ petition is disposed of directing the petitioner to pay off the overdue amount of Rs.5,40,728/- in 15 equal monthly instalments, the first instalment falling due on or before 01.03.2023 and the subsequent instalments falling due on or before the 1 st day of the succeeding months. The petitioner shall also pay the regular monthly instalments along with the instalments towards the overdue amount as stated above. If the petitioner pays the entire overdue amount, the respondents shall regularise the loan account. If the petitioner makes two consecutive defaults in the payment of instalments, the WP(C). No. 301 OF 2023 3 respondents will be at liberty to continue with coercive steps for recovery. The coercive steps initiated shall be kept in abeyance to facilitate the payment of instalments as directed above. Sd/- T.R. RAVI, JUDGE mtk WP(C). No. 301 OF 2023 4 APPENDIX OF WP(C) 301/2023 PETITIONER EXHIBITS Exhibit-P1 TRUE COPY OF DEMAND NOTICE ISSUED BY THE RESPONDENT BANK TO THE PETITIONER DATED

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