

Aju Mohan vs the Manager

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SooperKanoon Citation : sooperkanoon.com/1379233

Court : Kerala

Decided On : Jan-19-2023

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : WP(C)/26211/2022

Appellant : Aju Mohan

Respondent : The Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
THURSDAY, THE 19TH DAY OF JANUARY 2023 / 29TH POUSHA,
1944 WP(C) NO. 26211 OF 2022 PETITIONER: AJU MOHAN AGED 37
YEARS, S/O. MOHANAN G, ERANDACKAL HOUSE, MARKET P.O.,
BY ADV K.A.SALIL NARAYANAN RESPONDENTS: 1 THE MANAGER
STATE BANK OF INDIA, MUVATTUPUZHA BRANCH (8652) 2 THE
AUTHORISED OFFICER RASMEC BRANCH, PEARL TOWER,
VELLOORKUNNAM, MARKET P O , MUVATTUPUZHA, PIN - 686673
BY ADVS. Ambily S K.K.CHANDRAN PILLAI (SR.)(C-41)

OTHER PRESENT: ADV. S EASWARAN (SC) THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 19.01.2023, THE COURT ON THE

JUDGMENT

Petitioner has approached this Court challenging proceedings initiated against the petitioner under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (hereinafter referred to as the SARFAESI Act) to recover the amounts due under an Education loan availed by the petitioner.

2. When this matter is taken up for consideration, it is the submission of

the learned counsel appearing for the respondent bank that taking into account the amounts paid by the petitioner in terms of the interim order issued by this court and other payments made by the petitioner, the account has come out of the NPA status and the petitioner can be permitted to continue servicing the loan by paying the regular installments in time.

3. Taking into consideration the submissions of the learned counsel for the respondent bank, this writ petition is closed, as no further orders are necessary in this writ petition.

Sd/- GOPINATH P. JUDGE AMG W.P (C) No.26211/2022 -3- APPENDIX OF WP(C) 26211/2022 PETITIONER EXHIBITS Exhibit P1 COPY OF THE JUDGMENT IN WRIT PETITION NO: 304/2022 Exhibit P2 COPY OF THE NOTICE