

Cantech Plastics, vs the Authorised Officer

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Court : Kerala

Decided On : Sep-30-2021

Judge : Honourable Mr. Justice Bechu Kurian Thomas

Appeal No. : WP(C)/9164/2021

Appellant : Cantech Plastics,

Respondent : The Authorised Officer

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS THURSDAY, THE 30TH DAY OF SEPTEMBER 2021 / 8TH ASWINA, 1943 PETITIONER: CANTECH PLASTICS, REPRESENTED BY MANAGING PARTNER, JACKSON MG., MARATHAKKARA VILLAGE (POST), THRISSUR DISTRICT 680 306. BY ADV M.K.DILEEP KUMAR RESPONDENT: THE AUTHORISED OFFICER CATHOLIC SYRIAN BANK LIMITED, ZONAL OFFICE, ST.MARYS COLLEGE ROAD, THRISSUR ,THRISSUR DISTRICT 680 020. BY ADV MADHU RADHAKRISHNAN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.09.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: BECHU KURIAN THOMAS, J

JUDGMENT

It is submitted by the learned counsel for the respondent Adv. Madhu

Radhakrishnan, that the interim order

dated 14/9/2021 has not been complied with. Since the petitioner has failed to comply with the condition imposed for the grant of interim order, the relief claimed in the writ petition which relates to regularising the loan account also cannot be granted.

2. The reliefs claimed for in

the writ petition cannot be granted by this Court-under Article 226 of the Constitution. Time and again the Courts have held that the High Court ought not to interfere when a separate forum is created for redressing the grievance. Petitioner having failed to prove his bonafides as directed in the interim order dated 14.09.2021. This writ petition is only to be dismissed. Accordingly this writ petition is dismissed. Sd/- BECHU KURIAN THOMAS JUDGE AJM APPENDIX OF WP(C) 9164/2021 PETITIONERS EXHIBITS: EXHIBIT P1 TRUE COPY OF THE JUDGMENT OF HIGH COURT OF KERALA IN WPC NO. 18267 OF 2019 DT. 04.07.2019. EXHIBIT P2 TRUE COPY OF THE ORDER OF DEBT RECOVERY TRIBUNAL REGISTRAR IN I.D. NO. 11412/2019 DTD 25.11.2019. EXHIBIT P3 TRUE COPY OF THE REPRESENTATION DATED 21.11.2020 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT BANK. EXHIBIT P4 TRUE COPY OF THE NOTICE DATED

19.03.2021 ISSUED TO THE PETITIONER BY THE ADVOCATE COMMISSIONER ON BEHALF OF THE RESPONDENT WITH ENGLISH TRANSLATION. RESPONDENTS EXHIBITS: NIL AJM //TRUE COPY// PA TO JUDGE