
(2023) 09 KL CK 0044

High Court Of Kerala

Case No: Writ Petition (C) No. 26675 Of 2023

Pathukutty

APPELLANT

Vs

Guruvayur Urban Co
Operative Bank Ltd

RESPONDENT

Date of Decision: Sept. 7, 2023

Acts Referred:

Constitution of India, 1950 – Article 226

Citation: (2023) 09 KL CK 0044

Hon'ble Judges: Dinesh Kumar Singh, J

Bench: Single Bench

Advocate: Anupama Subramanian, K.R.Sripathi, T.R.Harikumar, Arjun Raghavan

Final Decision: Disposed Of

Judgement

Dinesh Kumar Singh, J

1. The present writ petition under Article 226 of the Constitution of India has been filed seeking the following reliefs:

“a. issue a writ of mandamus or any other appropriate writ, direction or order, directing the respondent to grant them breathing time and instalment options for the

repayment of the amount due.

b. Issue a writ of mandamus or any other appropriate writ, direction or order directing the respondent to defer the proceedings under Exhibit P1 notice.

c. Issue an appropriate order or direction to dispense off the production of translated copies of Exhibit P1.

d. To direct the respondent to consider waiving a part of the interest due from the petitioners in the light of their financial crisis.Ã¢â€

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2. As of 24.08.2023, the total outstanding of the Bank against the petitioner was Rs.27,37,934/-. This Court, vide interim order dated 24.08.2023,

directed the petitioner to deposit an amount of R.10 lakhs within a week from the date of the order to show her bona fides.

3. Learned Counsel for the petitioner submits that in pursuance of the said order, the petitioner has already deposited Rs.9 lakhs, and Rs.1 lakh shall

be deposited tomorrow (08.09.2023). She submits that the present writ petition may be disposed of with a direction to the Bank to grant instalments for

payment of the remaining amount of Rs.17,37,934/- with accrued interest.

4. Learned Counsel for the Bank does not have much objection to the said prayer.

5. Considering the aforesaid facts and circumstances of the case and also taking into consideration that the petitioner has already paid a substantial

amount towards the discharge of the loan liability, the present writ petition is disposed of with a direction to the petitioner to deposit Rs.1 lakh more by

tomorrow (08.09.2023), and the Bank could grant twelve instalments for payment of the remaining amount. With the aforesaid direction, the present

writ petition stands finally disposed of.