

(2023) 08 KL CK 0061
In the High Court Of Kerala
Case No : Writ Appeal No. 1418 Of 2023

Indira Sundaram

APPELLANT

Vs

Authorised Officer, Catholic Syrian Bank Ltd

RESPONDENT

Date of Decision : 08-08-2023

Acts Referred:

Kerala High Court Act, 1958 — Section 5

Citation : (2023) 08 KL CK 0061

Hon'ble Judges : A. J. Desai, CJ; V. G. Arun, J

Bench : Division Bench

Advocate : B.Pramod, Madhu Radhakrishnan

Final Decision : Disposed Of

Judgement

A.J.Desai, C.J.

1. By way of the present appeal filed under Section 5 of the Kerala High Court Act, 1958, the original petitioner has challenged the judgment dated 02.08.2023, of the learned Single Judge in the captioned Writ Petition (Civil) No.24694/2023.

2. We heard the learned advocates appearing for respective parties

3. The learned Advocate appearing for the appellant, on instructions, submitted that she is ready to deposit an amount of Rs.8 lakhs on or before 29.08.2023, with the respondent bank. He further states that the remaining outstanding amount shall be paid on or before 05.09.2023.

4. Learned Advocate appearing for the respondent bank would submit that, if the aforesaid statement made at the Bar on behalf of the petitioner is not adhered to, the bank may be permitted to proceed further for realisation of the outstanding amount, in accordance with law.

5. Considering the above submissions, we dispose of this appeal with the following directions:

i) Petitioner shall file an undertaking before this Court that an amount of Rs.8 lakhs shall be deposited with the respondent bank on or before 29.08.2023, and the remaining outstanding amount shall be paid on or before 05.09.2023.

ii) The said undertaking shall be filed within a period of one week from today, before this Court.

iii) If the petitioner fails in complying with the undertaking filed before this Court, the respondent bank is permitted to proceed further for realisation of the amount, in accordance with law, and may also initiate appropriate proceedings for not adhering to the undertaking filed before this Court.

iv) No further time will be granted to the petitioner for complying with the above mentioned directions.

The writ appeal is disposed of accordingly.