

(2012) 11 KL CK 0041
In the High Court Of Kerala
Case No : WP (C) .No. 27695 of 2012 (J)

K.T. Devi

APPELLANT

Vs

Kerala State Housing Board and Others

RESPONDENT

Date of Decision : 23-11-2012

Acts Referred:

Citation : (2012) 11 KL CK 0041

Hon'ble Judges : Antony Dominic, J

Bench : Single Bench

Advocate : N.K. Karnis, for the Appellant; George Boban, R1 To R4 Advocate SC, K.S.H.B. and Sri. Mohammed Shafi R5 Sr Government Pleader, for the Respondent

Judgement

Antony Dominic, J.—Petitioner's husband Late K.T. Kunjuraman availed of a housing loan of Rs. 2 lakhs from the 4th respondent. According to the petitioner, an amount of Rs. 1,78,000/- has already paid. In spite of it, recovery proceedings were initiated against the defaulters and finally Ext.P5 notice has been issued proposing to sell the mortgaged property. It is at this stage the writ petition is filed. Admittedly, the petitioner is a defaulter and is liable to pay the amount due to the respondent Bank. From the submissions made by the respondent Bank, it is seen that an One Time Settlement Scheme has been introduced by them and therefore if the petitioner is desirous of availing the benefit of the said scheme, it is for the petitioner to make an application for the same. In order to enable the petitioner to do so, I direct that coercive action on the basis of Ext.P5 be deferred for a period of 8 weeks, subject to the petitioner remitting 10% of the amount now due. Such remittance shall be made within 3 weeks from today. It is also directed that in the event the petitioner applies for the benefit of the One Time Settlement Scheme and the same is allowed, the payment made by the petitioner in pursuance to this judgment will also be given credit towards her liability. Writ Petition is disposed of as above.