
(2023) 07 KL CK 0120
In the High Court Of Kerala
Case No : Writ Petition (C) No. 9271 Of 2023

Mathew T.S.

APPELLANT

Vs

Collector, Idukki District, Idukki, Pin 685603

RESPONDENT

Date of Decision : 14-07-2023

Acts Referred:

Citation : (2023) 07 KL CK 0120

Hon'ble Judges : Gopinath P, J

Bench : Single Bench

Advocate : O.D.Sivadas, Gilbert George Correya, C.S Sheeja

Final Decision : Disposed Of

Judgement

Gopinath P, J

1. The petitioner availed two credit facilities from the respondent Bank. On default being committed, proceedings were initiated against the petitioner under the provisions of the Kerala Revenue Recovery Act to recover amounts due from the petitioner. The learned counsel appearing for the petitioner would submit that the only relief sought for by the petitioner at present is to permit the petitioner to clear the liability in some instalments.

2. The learned counsel appearing for the respondent Bank submits that the outstanding amount in respect of the two loans availed by the petitioner as on 30.06.2023 is Rs.10,04,404/- and that the Bank has no objection in some reasonable instalments being granted to the petitioner.

3. Having regard to the circumstances of the case and the situation now prevailing, apart from the submissions made as recorded above, I am of the view that the petitioner can be granted an opportunity to repay the outstanding amount in eight instalments.

4. Accordingly, there will be a direction to the respondent bank to accept repayment of the entire outstanding amount of Rs.10,04,404/- along with any

accrued interest, costs and charges from the petitioner on the following conditions:

(i) The outstanding amount of Rs.10,04,404/- (Rupees ten lakhs four thousand four hundred and four only) together with any accrued interest, costs and charges shall be repaid in eight equated monthly instalments.

(ii) The first instalment shall be paid on or before 31.07.2023 and subsequent instalments shall be paid on or before the last working day of every succeeding months.

(iii) In the event of default of any one instalment, the respondent bank shall be entitled to proceed in accordance with law.

(iv) In order to enable the petitioner to repay the entire amounts, all coercive proceedings shall be kept in abeyance.

The writ petition is disposed of as above.