
(2021) 08 KL CK 0036

In the High Court Of Kerala

Case No : Writ Petition (C) No. 8995 Of 2021

R. Gopalakrishnan

APPELLANT

Vs

Regional Transport Officer

RESPONDENT

Date of Decision : 02-08-2021

Acts Referred:

Citation : (2021) 08 KL CK 0036

Hon'ble Judges : Sunil Thomas, J

Bench : Single Bench

Advocate : B.Mohanlal, Sindhu Santhalingam, V.K.Sunil

Final Decision : Disposed Of

Judgement

Sunil Thomas, J

1. The petitioners had availed loans from the Sasthamcottah Primary Co-operative Agricultural and Rural Development Bank Ltd. Due to the default

committed, liability has increased. Coercive steps were initiated, pursuant to which the petitioners approached this court seeking reliefs.

2. In W.P.(C).No.8996 of 2021, an interim stay was granted, subject to the deposit of a sum of Rs.5,00,000/-(Rupees five lakhs only). Interim stay

was granted in W.P. (C)No.8995 of 2021, subject to deposit of Rs.2,00,000/-(Rupees two lakhs only). In spite of many opportunities granted, the

petitioners have not remitted the amount as ordered in both the cases. The learned counsel for the Bank, opposing the prayer for reliefs, submitted that

the liability has increased considerably and that this is the third round of litigation. The petitioners have not paid any substantial amount towards the debt.

3. The learned counsel for the petitioners raised contentions touching on the

financial difficulties due to the spread of pandemic and relied on Ext.P14

filed along with IA.No.1 of 2021. It was the proceedings of the Registrar of Co-operative Societies dated 27.04.2021 addressed to the society

informing that the application submitted by the petitioners herein dated 25.03.2021, which was enclosed along with Ext.P14 may be considered

favourably and possible deductions and concessions may be given to the petitioners. Having considered this, I am inclined to dispose of the Writ

Petition, with a direction to the bank to consider the above representations and the direction in Ext.P14 and to pass final orders on the actual amount

till date with notice to the petitioners as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this

judgment. Coercive steps if any, shall be kept pending till the date of final order. The bank will be free to proceed thereafter in accordance with law.

Writ Petitions are disposed of accordingly.