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**(2023) 05 KL CK 0122**  
**In the High Court Of Kerala**  
**Case No : Writ Petition (C) No. 9496 Of 2023**

|                                        |    |            |
|----------------------------------------|----|------------|
| Siny                                   | Vs | APPELLANT  |
| Senior Inspector/Special Sales Officer |    | RESPONDENT |

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**Date of Decision :** 22-05-2023

**Acts Referred:**

**Citation :** (2023) 05 KL CK 0122

**Hon'ble Judges :** Gopinath P., J

**Bench :** Single Bench

**Advocate :** K.R.Arun Krishnan, Deepa K.Radhakrishnan, Jissmon A Kuriakose, Sanal C.S

**Final Decision :** Dismissed

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## Judgement

Gopinath P., J

1. The petitioner has approached this Court challenging the proceedings initiated by the second respondent bank to execute an award obtained by the bank under the provisions of the Kerala Co-operative Societies Act, 1969.

2. When this matter came up for consideration on 20.03.2023, this Court had passed the following interim order;

"Admit.

Issue notice by speed post to respondents.

Further proceedings pursuant to Ext.P2 shall be kept in abeyance till 22.05.2023, on condition that the petitioner remits a sum of Rs.2,00,000/- (Rupees Two lakh only) towards the loan liability within a period of two weeks from today.

Post on 22.05.2023."

3. When this matter is taken up for consideration today, it is the submission of the learned counsel for the petitioner that despite best efforts, the petitioner

could not remit the amount as directed in the interim order dated 20.03.2023.

4. Having heard the learned counsel for the petitioner and considering the fact that the only prayer in the writ petition is for permission to permit the petitioner to clear the liability in instalments, I am of the view that the petitioner cannot be granted the said relief on account of the fact that the petitioner has not been able to demonstrate bonafides by remitting the amount directed to be paid in terms of the interim order passed by this Court on 20.03.2023.

The writ petition fails and it is, accordingly, dismissed.