

(2023) 05 KL CK 0037

In the High Court Of Kerala

Case No : Writ Petition (C) No. 14223 Of 2023

Sunitha M.S

APPELLANT

Vs

Authorized Officer, HDFC House, P.B No. 1667, Elmar Square,
Mg Road, Ravipuram, Ernakulam, Pin 682016

RESPONDENT

Date of Decision : 05-05-2023

Acts Referred:

Citation : (2023) 05 KL CK 0037

Hon'ble Judges : Mohammed Nias C.P., J

Bench : Single Bench

**Advocate : K.N.Abhilash, Sunil Nair Palakkat, S.Ambily, K.K.Chandran Pillai,
Rupa R. Nair, Mathew Joseph Balummel**

Final Decision : Disposed Of

Judgement

Mohammed Nias C.P., J

1. The petitioners had availed three loans from the respondent- Bank totalling to an amount of Rs.17,53,156/-. Due to the unexpected and unfortunate difficulties caused to their business on account of the COVID-19 pandemic, repayments were not made in time and the same led to proceedings for recovery against the petitioners.
2. The limited prayer of the petitioners in this Writ Petition is to grant instalment facility to pay the overdue amounts and to regularise the loan account.
3. The learned Standing Counsel for the respondent Bank, on instructions, submits that the outstanding overdue as on today is Rs.3,35,922/-.
4. Taking into account the averments in the Writ Petition and after hearing the learned counsel on either side, I deem it appropriate to grant 12 equal monthly instalment facility to the petitioners to wipe off the overdue amounts due to the respondent - Bank.

In the said circumstances, this Writ Petition is disposed of permitting the

petitioners to clear off the overdue amounts due to the respondent - Bank in 12 equal monthly instalments, starting from 01.06.2023. The petitioners will also be liable to pay the applicable EMI with the accrued interest, if any, continuously over and above the instalments to pay off the overdue amounts.

It is made clear that if there are two defaults committed in paying the instalments at any time, the petitioners will lose the benefit of this order and the respondent - Bank will be at liberty to proceed against them on the basis of the recovery proceedings already initiated.

The writ petition is thus disposed of.