

(2022) 05 KL CK 0187

In the High Court Of Kerala

Case No : Writ Petition (C) No. 6775 Of 2022

V. Biju

APPELLANT

Vs

Registrar Of Co Operative Societies

RESPONDENT

Date of Decision : 30-05-2022

Acts Referred:

Citation : (2022) 05 KL CK 0187

Hon'ble Judges : Sathish Ninan, J

Bench : Single Bench

Advocate : M.Kiranlal, Manu Ramachandran, R.Rajesh, T.S.Sarath, Sameer M Nair, V.M.Vishnu Mohan, Geethu Krishnan, Harsha Susan Sam, Resmi.K.M

Final Decision : Disposed Of

Judgement

Sathish Ninan, J

1. The credit facility availed by the petitioner from the respondent Bank was defaulted. The Bank has issued Ext P1 notice initiating recovery proceedings. The petitioner seeks for easy instalment facility to wipe off the liability.

2. Heard the learned counsel for the petitioner. In spite of service of notice on the respondent Bank there is no appearance.

3. The learned counsel for the petitioner submits that the petitioner is in grave financial constraints which occurred in the wake of Covid -19 Pandemic. The petitioner, if granted an easy instalment facility will be able to wipe off the debt due to the Bank, he submits.

4. Considering the quantum involved and also the financial constraints pointed out by the petitioner, I am of the opinion that an opportunity can be afforded to the petitioner to have the liability wiped off in instalments.

Accordingly the Writ Petition is disposed of with the following directions.

1) Petitioner is permitted to pay off the entire debt due to the Bank, inclusive of

interest and costs, in fifteen equal monthly instalments commencing from 30.06.2022.

2) The subsequent instalments shall be payable on or before the 20th day of the succeeding months.

3) In case of default in payment of a single instalment, the petitioner will lose the benefit granted under this judgment and further proceedings for recovery can go on.