

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.M.JOSEPH**

**TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929**

**WP(C).No. 23127 of 2007(C)**  
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**PETITIONER:**  
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**V.P.HASSIAN, S/O VEERANKUTTY,  
VALIYAPEEDIKAL HOUSE, KARUKAMANNA,  
PULLIPADAM P.O., MAMPAD, MALAPPURAM DIST.**

**BY ADV. SRI.P.SAMSUDIN**

**RESPONDENTS:**  
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- 1. THE AUTHORISED OFFICER,  
(DEPUTY GENERAL MANAGER), NILAMBUR CO-OPERATIVE  
URBAN BANK LTD., HEAD OFFICE NILAMBUR.**
- 2. THE NILAMBUR CO-OPERATIVE URBAN BANK LTD  
REPRESENTED BY ITS GENERAL MANAGER,  
HEAD OFFICE NILAMBUR.**
- 3. THE REGISTRAR OF CO OPERATIVE SOCIETIES,  
THIRUVANANANTHAPURAM.**

**R1 & R2 BY ADV. SRI. P. J.DEVAPRASANTH(SC)  
R3 GOVERNMENT PLEADER SMT. ANU SIVARAMAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**K. M. JOSEPH, J.**

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**W.P.C. NO. 23127 OF 2007 C**

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**Dated this the 31st July, 2007**

**JUDGMENT**

Petitioner availed a loan. It was not repaid. Recovery steps have been taken. Petitioner seeks to quash the recovery proceedings and also seeks the benefit of One Time Settlement. I heard the learned counsel appearing for the respondent Bank also. He points out that the petitioner is not entitled to the benefit of One Time Settlement Scheme and it is not applicable to the Bank. Then, learned counsel for petitioner would submit that the petitioner may be permitted to pay off the entire amount remaining to be paid in easy instalments. Having heard the learned counsel for the parties, the Writ Petition is disposed of as follows:

Petitioner is permitted to repay the amount remaining due with interest in eight equal monthly instalments. The respondent Bank will serve a Statement on the petitioner within two weeks from today showing the amount of instalments to be paid on the

basis that the petitioner has to pay the entire amount in eight equal monthly instalments. Petitioner will pay the first instalment on or before the last working day of August, 2007 and the remaining instalments on or before the last working day of every succeeding month. If any of the instalments is not paid, petitioner will forfeit the benefit of this Judgment and it will be open to the respondent Bank to proceed against the petitioner in accordance with law. Should any scheme of One Time Settlement become applicable to the respondent Bank, it will be open to the petitioner to seek the benefit of the same from the respondent Bank.

**K. M. JOSEPH, JUDGE**

**kbk.**