

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

TUESDAY, THE 28<sup>TH</sup> DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944

WP(C) NO. 3647 OF 2023

PETITIONERS:

- 1 KUMARAN.P.K. ,  
AGED 67 YEARS  
S/O.CHATHU, PUTHUKKANDY MEETHAL HOUSE,  
SOUPARNIKA, MAYYANNUR (P.O) ,  
VATAKARA, KOZHIKODE-673 542.
- 2 REGITH.P.M  
AGED 35 YEARS  
S/O. KUMARAN, PUTHUKKANDY MEETHAL HOUSE,  
SOUPARNIKA, MAYYANNUR (P.O) ,  
VATAKARA, KOZHIKODE, PIN - 673 542

BY ADVS.  
SANTHARAM.P  
REKHA ARAVIND  
P.G.GOKULNATH

RESPONDENT:

AADHAR HOUSING FINANCE LTD,,  
2ND FLOOR, NO:3, JVT TOWERS,  
8TH A MAIN ROAD, S R NAGAR,  
BENGALURU, KARNATAKA, PIN-560 027,  
REPRESENTED BY ITS AUTHORISED OFFICER,  
MANAGER

BY ADV PREMCHAND M M

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
28.02.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAVI, J.**

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**WP(C) No.3647 of 2023**  
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**Dated this the 28<sup>th</sup> day of February, 2023**

**JUDGMENT**

The petitioners have approached this Court seeking permission to wipe off the liabilities to the respondent Bank in instalments. The counsel for the respondent Bank submits that an amount of Rs.3,67,558/- is overdue.

In the above circumstances, the writ petition is disposed of directing the petitioners to pay the amounts overdue to the respondent Bank in 12 equal monthly instalments, along with regular instalments, the first instalment becoming payable on or before 28.03.2023 and the subsequent instalments becoming payable on or before the 28<sup>th</sup> day of the succeeding months. After receiving the entire overdue amounts, the respondent shall regularise the loan account. If the petitioners makes two defaults in the payment of instalments as directed above, the respondent Bank will be at liberty to

continue with the proceedings for recovery. Coercive steps for recovery shall be kept in abeyance for facilitating the payments by instalments as directed above.

**Sd/-**

**T.R.RAVI**

**JUDGE**

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APPENDIX OF WP(C) 3647/2023

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF DEMAND NOTICE DATED 16.04.2021
Exhibit P2	TRUE COPY OF NOTICE DATED 17.01.2023 ISSUED BY ADVOCATE COMMISSIONER IN CMP NO. 1418/2022 OF THE CHIEF JUDICIAL MAGISTRATE COURT, KOZHIKODE

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

PA TO JUDGE