

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

FRIDAY, THE 31ST DAY OF MARCH 2023 / 10TH CHAITHRA, 1945

RP NO. 268 OF 2023

AGAINST THE JUDGMENT IN WP(C)NO.37703/2022 OF HIGH COURT OF KERALA

DATED 03.02.2023

REVIEW PETITIONERS/PETITIONERS :

- 1 M/S. TAJ MARBLES AND MOSAICS,
PRAYIKKARA, TAJ COMPLEX,
MAVELIKKARA, ALAPPUZHA DISTRICT,
KERALA, PIN 690101
REPRESENTED BY ITS MANAGING PARTNER
K.M. REGHUNATHAN, AGED 54 YEARS,
S/O. K. MADHAVAN, KIZHAKKEVILAYIL HOUSE,
PRAYIKARA, MAVELIKKARA, PIN - 690101
- 2 K.M. REGHUNATHAN
AGED 54 YEARS
S/O. K. MADHAVAN,
KIZHAKKEVILAYIL HOUSE,
PRAYIKARA, MAVELIKKARA, PIN-690101,
MANAGING PARTNER, M/S. TAJ MARBLES AND MOSAICS,
PRAYIKKARA, TAJ COMPLEX, MAVELIKKARA,
ALAPPUZHA DISTRICT, KERALA, PIN - 690101
BY ADVS.
P.HARIDAS
BIJU HARIHARAN
SHIJIMOL M.MATHEW
RAJASREE T.R.
P.C.SHIJIN
RISHIKESH HARIDAS

RESPONDENTS/RESPONDENTS :

- 1 THE STATE BANK OF INDIA (S.B.I.)
REPRESENTED BY ITS GENERAL MANAGER,
SBI, ROTARY JN., POOJAPPURA MAIN ROAD,
KESARI NAGAR, POOJAPPURA-,
PIN - 695012
- 2 ASSISTANT GENERAL MANAGER,
SBI, STRESSED ASSETS RECOVERY BRANCH (05182),
7TH FLOOR, VANKARATH TOWERS,
PALARIVATTOM BYEPASS JUNCTION,
ERNAKULAM, PIN - 682024

3 THE AUTHORIZED OFFICER (CHIEF MANAGER)
STATE BANK OF INDIA,
SME MAVELIKARA BRANCH,
MAVELIKARA, PIN - 690101
BY ADV JAWAHAR JOSE, STANDING COUNSEL

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
31.03.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

Petition seeking review of the judgment in W.P.(C)No.37703 of 2022. No grounds are made out for a review of the judgment. However, notwithstanding the serious objection raised by the learned counsel for the respondent bank, it is directed that judgment in W.P.(C)No.37703 of 2022 will not prevent the prosecution of SA No.53 of 2023. I make it clear that I have not expressed any opinion in the merits of the matter and that the Tribunal will be free to adjudicate the securitization application in accordance with law and untrammelled by any observation contained in the judgment in W.P.(C)No.37703 of 2022 or in this order.

Sd/-

GOPINATH P., JUDGE

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APPENDIX OF RP 268/2023

RESPONDENT EXHIBITS

Exhibit-R2(a)	True copy of the proposal dated 13-2-2023 submitted by the petitioner to the bank.
Exhibit-R2(b)	True copy of the communication dated 10-3-2023.