

## IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

Tuesday, the 7<sup>th</sup> day of September 2021 / 16th Bhadra, 1943OP (DRT) NO. 27 OF 2021

S.A (Diary No. 357/2021) of the DEBT RECOVERY TRIBUNAL- 2, ERNAKULAM.

PETITIONER:

BRIJITH M. RAJ AGED 37 YEARS S/O. RAJAYYAN S, RAJ BHAVAN, TC  
18/1380(2), DAS NAGAR, KUNNAPUZHA, ARAMADA P.O, THIRUVANANTHAPURAM  
DISTRICT, PIN - 695 032.

RESPONDENTS:

1. REPATRIATES CO-OPERATIVE FINANCE AND DEVELOPMENT BANK LTD (REPCO BANK) U.K. EDIFICE COMPLEX, GROUND FLOOR, CHENTHITTA-KANNETTUMUKKU ROAD, VALIYASALA, CHALAI POST, THIRUVANANTHAPURAM - 695036.
2. THE AUTHORIZED OFFICER REPATRIATES CO-OPERATIVE FINANCE AND DEVELOPMENT BANK LTD, U.K. EDIFICE COMPLEX, GROUND FLOOR., CHENTHITTA-KANNETTUMUKKU ROAD, VALIYASALA, CHALAI POST, THIRUVANANTHAPURAM - 695036.
3. BRANCH MANAGER REPATRIATES COOPERATIVE FINANCE AND DEVELOPMENT BANK LTD, U.K. EDIFICE COMPLEX, GROUND FLOOR., CHENTHITTA-KANNETTUMUKKU ROAD, VALIYASALA, CHALAI POST, THIRUVANANTHAPURAM - 695036.

OP (Debt Recovery Tribunal) praying inter alia that in the circumstances stated in the affidavit filed along with the OP (DRT) the High Court be pleased to stay all further proceedings under Exhibit P2 and Exhibit P3 pending final disposal of the above Original Petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of OP (DRT) and upon hearing the arguments of M/S K.J.GLAXON, AMAL JEES ALEX, RAGHUL SUDHEESH & J.LAKSHMI Advocates for the petitioners and of M/S V.KRISHNA MENON, P.VIJAYAMMA & J.SURYA Advocates for the respondents 1 & 2, the court passed the following:

**O R D E R**

Admit. It is seen from Exhibit P7 judgment of the Madras High Court that the respondents have been found to be not a Bank or a financial institution coming within the purview of the securitisation and reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

In the said circumstances, there will be an interim stay as prayed for, for a period of six months.

Sd/- BECHU KURIAN THOMAS, JUDGE



**APPENDIX OF OP (DRT) 27/2021**

- EXHIBIT P3** TRUE COPY OF THE POSSESSION NOTICE DATED 16.12.2020  
ISSUED BY THE 2nd RESPONDENT.
- EXHIBIT P7** TRUE COPY OF THE JUDGMENT DATED 3.03.2021 PASSED BY THE  
HON'BLE MADRAS HIGH COURT IN W.P NO. 33133 OF 2019.
- EXHIBIT P2** TRUE COPY OF THE DEMAND NOTICE DATED 10.03.2020 ISSUED  
BY THE 2nd RESPONDENT.

