

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE N.NAGARESH
FRIDAY, THE 24TH DAY OF APRIL 2020 / 4TH VAISAKHA, 1942
WP(C) TMP NO. 32 OF 2020**

PETITIONER:

PRAVEEN PARAKKAL, S/O. LATE SUKUMARAN,
AGED 43 YEARS, SURABHI HOUSE, MANGANAM P.O.,
KOTTAYAM - 686 018, NOW RESIDING AT
19 SWAMI VIVEKANANDA LAYOUT, IDGAH ROAD,
PANATHUR, BANGALORE - 560 087.

RESPONDENTS:

1. STATE BANK OF INDIA, THELLAKOM BRANCH,
KOTTAYAM – 686 630, REPRESENTED BY ITS MANAGER.
2. THE AUTHORISED OFFICER, STATE BANK OF INDIA,
RACPC KOTTAYAM, POLACHIRAKKAL CHAMBERS,
K.K. ROAD, KOTTAYAM 686 002.

This writ petition having come up for admission on 24.04.2020, the court on the same day passed the following:

ORDER

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Dated this the 24th day of April, 2020

The petitioner's vehicle has been seized by the respondents as EMIs fell in arrears. This Court, by order dated 07.04.2020, stayed auctioning the vehicle.

2. When this matter came up today, learned counsel for the petitioner submitted that he is willing to pay the overdue arrears and requested that the vehicle be handed over to the petitioner. The petitioner submits that retaining the vehicle by the financiers will cause further burden by way of payment of demurrage. There is no representation for the respondents today.

Taking into account the fact situation, this Court is inclined to pass an interim order. Accordingly, there will be an interim order directing the respondents to handover the possession of the vehicle in question to the petitioner, if the

petitioner pays the entire overdue amounts as on date. It is made clear that this handing over of the vehicle will be provisional and strictly subject to the outcome of the writ petition.

Post the writ petition on 18.05.2020.

N. NAGARESH, JUDGE