

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 28TH DAY OF FEBRUARY 2024/9TH PHALGUNA, 1945

WP(C) NO. 25222 OF 2023

PETITIONER:

MOHAMMED NAJEEB M.,
AGED 63 YEARS,
S/O. LATE M. MOIDEEN KUTTY,
M-SONS VILLA, POTTAMMAL JN.,
KOZHIKODE, PIN - 673016

BY ADVS.
LEO LUKOSE
ENOCH DAVID SIMON JOEL
S.SREEDEV
RONY JOSE
KAROL MATHEWS SEBASTIAN ALENCHERRY
DERICK MATHAI SAJI

RESPONDENTS:

- 1 KERALA STATE ELECTRICITY BOARD LTD.,
VAIDYUTHI BHAVAN,
THIRUVANANTHAPURAM - 695 004,
REPRESENTED BY ITS SECRETARY
- 2 EXECUTIVE ENGINEER,
KOZHIKODE ELECTRICAL DIVISION,
KOZHIKODE, PIN - 673020
- 3 ASSISTANT EXECUTIVE ENGINEER,
KOZHIKODE ELECTRICAL SECTION,
KOZHIKODE, PIN - 673020
- 4 THE SPECIAL OFFICER (REVENUE),
KERALA STATE ELECTRICITY BOARD LTD.,
VYDYUTHI BHAVANAM, PATTOM P.O,
THIRUVANATHAPURAM, PIN - 695004

BY ADV. SRI.RIJI RAJENDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 28.02.2024, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 28th day of February, 2024

Shorn of all the legal contentions raised in this writ petition, the petitioner agrees to remit the entire balance amount due under Ext.P1 in equated monthly instalments. Having regard to the fact that the petitioner has already complied with the interim order dated 01.08.2023, I am of the view that the petitioner can be granted the facility of repayment of the amount due under Ext.P1 through instalments.

2. Standing Counsel entered appearance and pointed out that the petitioner had earlier approached this Court filing W.P.(C) No.25791 of 2021 and this Court granted the petitioner opportunity to pay the amount under Ext.P6 therein in eight equated monthly instalments. The petitioner has not adhered to the time schedule prescribed therein. The Standing Counsel further submitted that the

petitioner cannot be granted instalment facility exceeding six monthly instalments for payment of arrears.

3. Though the Standing Counsel for the respondents vehemently opposed the grant of more than six instalments, I am of the view that the petitioner can be granted a facility to repay the amount in eight instalments.

4. Accordingly, the balance amount due from the petitioner under Ext.P1 shall be paid in eight equated monthly instalments, first of which shall be paid on or before 25.03.2024.

The writ petition is disposed of as above.

Sd/-
N. NAGARESH
JUDGE

W.P.(C) No.25222/2023

: 4 :

APPENDIX OF WP(C) 25222/2023

PETITIONER'S EXHIBITS:

Exhibit P1	TRUE COPY OF THE DEMAND NOTICE DATED 04.07.2023 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
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