

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC &
THE HONOURABLE SMT. JUSTICE P.V.ASHA

WEDNESDAY, THE 4TH DAY OF NOVEMBER 2015/13TH KARTHIKA, 1937
FAO.No. 68 of 2013 ()

AGAINST THE ORDER DATED 2.2.2013 IN E.A.1888/2012 IN E.P.288/2000 IN
OS 402/1995 of II ADDL.SUB COURT, THRISSUR

APPELLANTS/PETITIONERS/CLAIM PETITIONERS:

1. FANCY
W/O. KLENGADAN ANTO, NELLIKUNNU DESOM
NADATHARA VILLAGE, THRISSUR TALUK.
2. LEXY
W/O. ERADUPARAMBIL JOHNSON, CHERUSSERY DESOM
VALLACHIRA VILLAGE, THRISSUR TALUK.
3. GILSA
D/O. PULIKOTTIL PORINCHU, PADAVARAD DESOM
OLLUR VILLAGE, THRISSUR TALUK.
4. JOJU
RESIDING AT -DO- -DO-
5. JOHN
-DO- -DO-
6. JOSHY
-DO- -DO-

BY ADVS.SRI.T.KRISHNAN UNNI (SR.)
SRI.SAJU.S.A
SMT.P.A.SHEEJA
SMT.MEENA.A.
SRI.K.C.KIRAN
SRI.JAMSHEED HAFIZ

RESPONDENTS/DECREE HOLDER/JUDGMENT DEBTORS:

1. SHAJU.P.JOSE
S/O. PULIKAN JOSE, YOUNGSHINE ROAD
CHELAKOTTUKARA DESOM, CHEMBUKAVU VILLAGE
THRISSUR TALUK, PIN-680306.
 2. MARY
W/O. PULIKOTTIL PORINCU, PADAVARAD DESOM, OLLUR VILLAGE
THRISSUR TALUK, PIN-680306.
 3. JAMES
RESIDING -DO- -DO-
- RR-R1 BY ADV. SRI.S.K.BALACHANDRAN
RR-R1 BY ADV. SMT.N.D.DEEPA

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON
04-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

**ANTONY DOMINIC &
P.V.ASHA, JJ.**

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Dated this the 4th day of November, 2015

JUDGMENT

Antony Dominic, J.

This F.A.O is filed challenging the order dated 2.2.2013 in E.A.No.1888 of 2012 in E.P.No.288 of 2000 in O.S.No.402 of 1995 on the file of the IInd Additional Sub Judge, Thrissur. Considering the submissions made this Court has passed order dated 19.3.2013 in I.A.No.321 of 2013, the operative portion of which reads thus:

Hence, we think that it would be only proper that the court below proceeds now to effect delivery in terms of the sale sanad, which has become final, and the property covered by it shall be identified appropriately following due procedure and delivery shall be effected after the 1st of April, 2013, at any rate, before the 8th April, 2013 and report in that regard shall be forwarded by the court below to the Registrar General of this Court for further consideration of this appeal.

2. In compliance with the said order, this Court has received report from the execution court enclosing order dated 6.4.2013

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which shows that the delivery has been effected and E.A.No.940 of 2010 has been closed. This therefore shows that nothing further survives to be considered in this appeal.

The appeal is therefore closed.

Sd/-
ANTONY DOMINIC,
JUDGE.

Sd/-
P.V.ASHA,
JUDGE.

rkc