IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

OP(C).No. 696 of 2015 (O)

EA.NO.15/2014 IN OS 138/2007 OF SUB COURT, ATTINGAL.
IA.2851/14 IN UNNUMBERED SA../14.

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PETITIONER/DECREE HOLDER:

S.SULATHA, W/O.GOPINATHAN NAIR,
KESAVAMANDIRAM, VARKALA,
JANARDANAPURAM KOVILAKOM VEEDU,
NOW RESIDING AT KALLUVATHUKKAL,
PAMPURAM PUTHEN VEEDU,
THIRUVANANTHAPURAM.

BY ADVS.SRI.R.ANILKUMAR
SRI.P.M.RAJAGOPAL

RESPONDENT(S):

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1. **JASEELA BEEVI, D/O.MARIUM BEEVI,**
   MALAPPURATH VEEDU, KAPPIL, EDAVA.P.O.,
   THIRUVANANTHAPURAM DISTRICT.

2. **SUNDARAM BNP PARIBAS HOME FINANCE LTD.,**
   ELIZABETH ALEXANDER MEMORIAL BUILDING,
   MARINE DRIVE, KOCHI-682 031.

3. **ABDULLA KUNJU, S/O.ABDUL REHMAN,**
   DOOR NO.96/8, NAVAS MANZIL HOUSE,
   MANAKKAD CHERI, VADAKKEVILA.P.O.,
   KOLLAM DISTRICT-691 010.

R2 BY ADV. SRI.VARGHESE C.KURIAKOSE
R3 BY ADV. SRI.R.MOHANA BABU

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 11-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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OP(C).No. 696 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1- THE TRUE PHOTOCOPY OF THE JUDGMENT IN OS NO.138/2007 BEFORE THE SUB-COURT, ATTINGAL DATED 11.02.2011.

P1(A)- THE TRUE PHOTOCOPY OF THE DECREE PASSED IN THE ORIGINAL SUIT IN OS NO.138/2007 DATED 11.02.2011.

P2- THE TRUE PHOTOCOPY OF THE ORER IN IA NO.915/09 IN OS NO.138/2007 PASSED BY THE SUB-COURT, ATTINGAL DATED 14.10.2009.

P3- THE TRUE PHOTOCOPY OF THE SALE CERTIFICATE ISSUED TO THE 3RD RESPONDENT ON 19.03.2011.

P4- THE TRUE PHOTOCOPY OF THE JUDGMENT IN OP(C)NO.2460/2014 DT. 27.10.2014.

P5- THE TRUE PHOTOCOPY OF THE IA NO.2851/2014 IN SA UNNUMBERED.

P6- THE TRUE PHOTOCOPY OF THE APPLICATION TO LIFT THE ATTACHMENT EA NO.15/14 IN OS NO.138/07 FILED BY THE THIRD RESPONDENT.

P7- THE TRUE PHOTOCOPY OF THE OBJECTION PETITION FILED BEFORE THE SUB-COURT, ATTINGAL ON 30.06.2014.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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O.P.(C).No.696 of 2015

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Dated this the 11th day of August, 2015

J U D G M E N T

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The Debt Recovery Tribunal, Ernakulam is directed to dispose of I.A.No.2851 of 2014 in unnumbered SA pending before the Tribunal, as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment. The outcome of E.A.No.15 of 2014 in O.S.No.138 of 2007 of the Subordinate Judge's Court, Attingal shall be subject to the disposal of I.A.No.2851 of 2014.

This Original Petition (Civil) is disposed of as above.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/11/8/15