

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP(C).No. 1041 of 2015 (O)

(O.S.167/2011 OF SUB COURT, PALA)

PETITIONERS:

1. SHEEBA BIJI, AGED 53 YEARS, W/O. BIJI ABRAHAM,
RAJAGIRI HOUSE, KURUVAMOOZHY P.O.,
KOOVAPPALLY VILLAGE, KOTTAYAM DISTRICT.
2. MIDHUNA B. ABRAHAM, AGED 30 YEARS,
D/O. BIJI ABRAHAM, RAJAGIRI HOUSE,
KURUVAMOOZHY P.O., KOOVAPPALLY VILLAGE,
KOTTAYAM DISTRICT.

BY ADVS.SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS

RESPONDENTS:

1. KURUVILLA ALEXANDER, AGED ABOUT 60 YEARS,
S/O. LATE ITTY KURUVILLA, MANALIL HOUSE,
CHAKKALAMUKKU, SREEKARIYAM P.O.,
THIRUVANANTHAPURAM - 695 017.
2. BIJI ABRAHAM, AGED ABOUT 58 YEARS,
S/O. ABRAHAM, RAJAGIRI HOUSE, KURUVAMOOZHY P.O.,
KOOVAPPALLY VILLAGE, KOTTAYAM DISTRICT - 686 509.
3. SABARI HOMES, A REGISTERED PARTNERSHIP FIRM BEARING
No.1065/05 REPRESENTED BY ITS MANAGING PARTNER,
MR.BIJI ABRAHAM, AGED ABOUT 58 YEARS, S/O. ABRAHAM,
RAJAGIRI HOUSE, KURUVAMOOZHY P.O.,
KOOVAPPALLY VILLAGE, KOTTAYAM DISTRICT - 686 509.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, ALONG WITH O.P.(C) 1042/2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

O.P.(C) 1041/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF COMMON JUDGMENT DTD.23.12.2012 IN
O.S.Nos.167/2011, 168/2011 & 169/2010 OF SUB
COURT, PALA.
- EXT. P2 : COPY OF JUDGMENT REPORTED IN 2015 (1) KLT 151.
- EXT. P3 : COPY OF CORRECTED I.A.575/14 FILED IN O.S.167/11.
- EXT. P4 : COPY OF CORRECTED I.A.576/14 FILED IN O.S.168/11.
- EXT.P5 : COPY OF I.A.357/15 IN O.S.167/11.
- EXT. P6 : COPY OF I.A.358/15 IN O.S.168/11.

RESPONDENT'S EXHIBITS: NIL.

//True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

**Original Petition (Civil) Nos.1041
& 1042 OF 2015**

Dated this the 9th day of April, 2015.

J U D G M E N T

In these two original petitions, the relief sought for is for a direction to the court below to dispose of Exts.P3 and P4 petitions said to have been filed by the petitioners in two different suits. Both the suits were for realization of money. The suits were dismissed and consequently attachment was lifted.

2. The petitioners thereafter moved applications before the court concerned to have the matter regarding lifting of attachment communicated to Sub Registrar's Office.

3. The grievance of the petitioners is that in spite of several postings, Exts.P3 and P4 petitions lie at the same stage and no orders are passed on the same.

4. This Court is now given to inform that the petitions stand posted after vacation. According to the petitioners, delay in disposing of the petitions causes considerable loss and injury

to them and therefore it is necessary that an immediate order is passed on the petitions.

These original petitions are disposed of with an observation that the fact that the court below has posted the matter after vacation will not stand in the way of the petitioners moving the vacation court for appropriate reliefs.

Sd/-

**P.BHAVADASAN
JUDGE**

smp