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Aishabi vs Joy K.B

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SooperKanoon Citation : sooperkanoon.com/1363468

Court : Kerala

Decided On : Jul-31-2023

Judge : Honourable Mr. Justice D. K. Singh

Appeal No. : OP (DRT)/36/2017

Appellant : Aishabi

Respondent : JOY K.B

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH MONDAY, THE 31ST DAY OF JULY 2023 / 9TH SRAVANA, 1945 OP (DRT) NO. 36 OF 2017 AGAINST THE ORDER IN TSA 14/2016 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER/S: AISHABI V K, AGED 48 YEARS W/O ABDU, 48 YEARS, EDAVILANGU P.O., KODUNGALLOOR. BY ADV SRI.AYPE JOSEPH RESPONDENT/S: 1 JOY K.B, S/O KAITHAKKATTU BALAKRISHNAN, PROPRIETOR, SURYA UDHYOG, EDAVILANGU P.O., KODUNGALLOOR680671. 2 THE AUTHORIZED OFFICER DHANALEKSHMI BANK LTD., ZONAL OFFICE, DHANALEKSHMI BUILDINGS, POONKUNNAM, THRISSUR-680 001. 3 DHANALEKSHMI

BANK LTD. EDAVILANGU P.O., KODUNGALLOOR, REPRESENTED BY ITS MANAGER-680 671. 4 K.B. SAMBATH, S/O KAITHAKKATTU BALAKRISHNAN, PROPRIETOR, 5 P.K. LEKSHMI, S/O KAITHAKKATTU BALAKRISHNAN, PROPRIETOR, SYRYA UDHYOG, EDAVILANGU P.O, KODUNGALLOOR-680671. 6 K.B. SANAL, S/O KAITHAKKATTU BALAKRISHNAN, PROPRIETOR, 7 THE DEBT RECOVERY TRIBUNAL NO.2 FIRST FLOOR, HOUSING BOARD BUILDING, PANAMPILLY NAGAR, ERNAKULAM, KOCHI-682020REPRESENTED BY THE REGISTRAR. -2- BY ADVS.SMT.M.MANJU; SRI.M.GOPIKRISHNAN NAMBIAR SRI.M.A.AUGUSTINE SRI.K.JOHN MATHAI SRI.JOSON MANAVALAN SRI.KURYAN THOMAS SRI.PAULOSE C. ABRAHAM SRI.R.SUDHISH SRI.VARUGHESE CHERIAN THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR HEARING ON 31.07.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -3-

JUDGMENT

None appears even in the revised call on behalf of the petitioner.

2. However, the learned Counsel for the respondents submit that the O.P.(DRT) has been rendered infructuous by efflux of time.

3. In view of the aforesaid submission, the present

O.P.(DRT) is dismissed as infructuous. Interim order, if any, stands vacated. Sd/- DINESH KUMAR SINGH JUDGE jjj -4- APPENDIX OF OP (DRT) 36/2017 PETITIONER EXHIBITS EXHIBIT P1: A TRUE COPY OF THE SALE CERTIFICATE DATED 23.11.07. EXHIBIT P2: TRUE COPY OF THE SALE DEED NO.5770/1/07 SRO, KODUNGALLOOR. EXHIBIT P3: TRUE COPY OF TAX RECEIPT DATED 5.1.08. EXHIBIT P4: TRUE COPY OF THE ORDER IN TSA NO.14/2016 ON THE FILE OF THE 7TH RESPONDENT, DATED 6.1.2017.

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