

Kerala High Court

Sundaram Bnp Paribas Home Finance ... vs Jacob Beemer on 6 November, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 31611 of 2009(0)

1. SUNDARAM BNP PARIBAS HOME FINANCE LTD,
... Petitioner

Vs

1. JACOB BEEMER, S/O.JOHNSON, AGED 53
... Respondent

2. THOMAS GEORGE, S/O.K.M.GEORGE, AGED

For Petitioner :SRI.M.P.RAMNATH

For Respondent : No Appearance

The Hon'ble MR. Justice THOTTATHIL B.RADHAKRISHNAN

Dated :06/11/2009

O R D E R

S.S.SATHEESACHANDRAN, J.

W.P.(C).No.31611 OF 2009

Dated this the 6th day of November 2009

JUDGMENT

Petitioner is a non banking financial institution advancing loans for various purposes. In respect of a mortgage property taken by the company as security for a housing loan, in a suit filed by a third party as O.S No.217 of 2009 before the Sub Court, Ernakulam an attachment over that mortgage property had been passed is the case of the petitioner. An application was moved in the above suit by the petitioner for lifting the attachment or passing of appropriate orders declaring his first charge over the property. Though the application was filed three months before, it is yet to receive

consideration from the court is the grievance espoused for issuing directions/orders to the court below for disposal W.P.(C).No.31595 OF 2009 Page numbers of that application expeditiously. Having regard to the submissions made and taking note of the facts and circumstances presented, I direct the learned Sub Judge Ernakulam to dispose of Ext.P3 application as expeditiously as possible at any rate before the closing of the courts for the mid summer vacation in 2010. Writ petition is disposed as indicated above.

Sd/-

S.S.SATHEESACHANDRAN, JUDGE //TRUE COPY// P.A TO JUDGE vdv