

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 2ND DAY OF JULY 2015/11TH ASHADHA, 1937

CRP.No. 258 of 2015

**AGAINST THE ORDER IN I.A.NO.865/2014 IN A.S.NO.74/2014 OF THE DISTRICT
COURT, KOZHIKODE DATED 08.04.2015**

REVISION PETITIONER(S)/RESPONDENT/RESPONDENT :

**AYILALATH ANUPRIYA, AGED 34 YEARS,
D/O.DAMODARAN MASTER, W/O.RAVIKUMAR,
VAZHAYUR VILLAGE, ERNAD TALUK.**

**BY ADVS.SRI.K.SANEESH KUMAR
SMT.V.B.SANTHINI**

RESPONDENT(S)/PETITIONER/APPELLANT :

**BABU, AGED 62 YEARS,
S/O.KAVUNGAL VASU, PANNIYANKARA AMSOM DESOM,
KOZHIKODE TALUK, PIN 673- 002.**

BY ADV. SRI.JOSE KURIAKOSE (VILANGATTIL)

**THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 02-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1: TRUE PHOTOCOPY OF THE FINAL DECREE PASSED BY THE SUB COURT II-A, DATED 28.10.2013 ALONG WITH THE COMMISSION REPORT.
- ANNEXURE A2: A TRUE PHOTOCOPY OF THE ORDER DATED 16.12.2013 PASSED BY THE HONOURABLE SUPREME COURT IN PETITION FOR SPECIAL LEAVE TO APPEAL IN C.C.NO.4793/2013.
- ANNEXURE A3: A TRUE PHOTOCOPY OF THE COMMON ORDER PASSED IN I.A.NO.1678/2014 & I.A.NO.1680/2014 DATED 04.04.2014 BY THE IIND ADDL.SUB COURT, KOZHIKODE.
- ANNEXURE A4: A TRUE COPY OF THE APPEAL FILED BY THE RESPONDENT CHALLENGING THE FINAL DECREE.
- ANNEXURE A5: A TRUE COPY OF I.A.NO.865/2014 FILED BY THE RESPONDENT FOR CONDONING THE DELAY OF 154 DAYS IN PREFERRING THE APPEAL.
- ANNEXURE A6: A TRUE PHOTOCOPY OF THE COUNTER FILED BY THE PETITIONER IN I.A.NO.865/2014 FILED BY THE RESPONDENT FOR CONDONING THE DELAY.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
C.R.P. No.258 of 2015
.....

Dated this the 2nd day of July, 2015

ORDER

Heard the learned counsel for the revision petitioner and the learned for the respondent.

2. The challenge is precisely against the order by which the court below has condoned the delay of 154 days in filing the appeal. On going through the impugned order and on hearing either side, this Court does not find any illegality, irregularity or impropriety in the said order. At the same time, this Court is of the view that the court below can be directed to expedite the disposal of the appeal.

In the result, this Civil Revision Petition is dismissed with the following observation:

Being a suit of 2003, the court below is directed to

dispose of the appeal, as expeditiously as possible, at any rate, within a period of six months from the date of receipt of a copy of this judgment.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge