

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937

CRP.No. 57 of 2014 ()

(AGAINST THE ORDER IN E.A.NO.233/2013 IN E.P.NO.78/2012 IN OS.NO. 232/2000 OF
ADDL.SUB COURT, KOTTAYAM DATED 10-10-2013)

REVISION PETITIONER(S)/CLAIM PETITIONER:

*V.C.JOSEPH,
VALIYAVEETIL, CHEERAMCHIRA P.O.,
CHANGANACHERRY, KOTTAYAM DISTRICT. *(DIED)

*ADDITIONAL REVISION PETITIONER'S

*ADDL.P2: LEENA JOSEPH,W/O.LATE V.C.JOSEPH,
VALIYAVEETIL, CHEERAMCHIRA P.O.,
CHANGANACHERRY, KOTTAYAM DISTRICT.

*ADDL.P3: CHARMS JOSEPH, AGED 12 YEARS, MINOR,
REPRESENTED BY HIS MOTHER LEENA JOSEPH,
VALIYAVEETIL, CHEERAMCHIRA.P.O., CHANGANACHERRY,
KOTTAYAM DISTRICT.

*ADDL.P4: AUSTINA JOSEPH, AGED 9 YEARS, MINOR,
REPRESENTED BY HER MOTHER LEENA JOSEPH,
VALIYAVEETIL, CHEERAMCHIRA P.O., CHANGANACHERRY,
KOTTAYAM DISTRICT.

*ADDITIONAL P2 TO P4 IS IMPEADED AS THE LEGAL HEIRS OF DECEASED
REVISION PETITIONER AS PER ORDER DATED 26/3/14 IN IA.NO.684/2014 IN
CRP.NO.57/2014.

BY ADVS.SRI.JOMY GEORGE
SRI.SEBASTIAN THOMAS

RESPONDENT(S)/DECREE HOLDER AND THE JUDGMENT DEBTOR:

1. PUNJAB NATIONAL BANK,
KOTTAYAM BRANCH.

CRP.NO.57/2014

2. C.C.REJIMON, S/O.ABRAHAM CHACKO, PROPRIETOR,
FAVOURITE PAINTS, BENCHEMIN BAILEE STREET,
CHALUKUNNU, KOTTAYAM,
THARAKKUNNEL CHATHANA HOUSE, KOTHALA KARA,
KOOROPPADA VILLAGE, KOTTAYAM.

R1 BY ADVS. SRI.P.V.JAYACHANDRAN, SC, PUNJAB NATIONAL BANK
SRI.R.PARTHASARATHY
SMT.SEEMA

R2 BY ADVS. SRI.ANIL SIVARAMAN
SMT.RAJI VINCENT

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 08-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

B.KEMAL PASHA, J.

.....
C.R.P. No.57 of 2014
.....

Dated this the 8th day of June, 2015

ORDER

It is submitted that as per the order dated 17.02.2014 passed by this Court, an amount of ₹11 lakhs was deposited by the petitioner. As the matter is not pressed, the request is that the petitioner may be permitted to withdraw the said amount of ₹11 lakhs.

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

6. The learned counsel for the respondents have no objection. When the matter is not pressed, the amount ordered to be deposited by the petitioner for obtaining an interim stay of sale can be returned to the petitioner. The first respondent Bank is directed to return the said amount

to the petitioner. As the first petitioner is no more, others shall produce legal heirship certificate before the Bank.

In the result, the Civil Revision Petition is disposed of as above.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge