

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

OP(C).No. 221 of 2015 (O)

O.S.NO.15/11 OF DISTRICT COURT(WAKF), ERNAKULAM.
.....

PETITIONER/PLAINTIFF 1:

**XAVIER SAJI, AGED 32 YEARS,
KUNNUPURATH, KADAKKARAPPALLY P.O.,
CHERTHALA TALUK,
KADAKKARAPPALLY PANCHAYATH.**

**BY ADVS.SRI.P.SANJAY
SMT.A.PARVATHI MENON**

RESPONDENT(S)/SOLE DEFENDANT AND PLAINTIFFS 2 AND 3:

- 1. BROTHER ANTONY, AGED 43 YEARS,
THARAPPARAMBIL, KARIPALAYAM,
POOPPANAKUNNU, KUMBALANGI, PIN - 682 007.**
- 2. ADV.SEEMA RAVEENDRAN, AGED 39 YEARS,
CHERTHALA, KARIKKANEKATHU,
KADAKKARAPPALLY P.O., PIN - 688 529.**
- 3. ASSISTANT CHARITABLE TRUST,
KARIPALAYAS, POOPPANAKUNNU P.O.,
KUMBALANGI, REPRESENTED BY
THE TRUSTEE XAVIER SAJI, PIN - 682 007.**

**R1 BY ADVS. SRI.P.M.JOSHI
SMT.SIJI K.PAUL**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 31-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

mbr/

OP(C).No. 221 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1. TRUE COPY OF THE LIST OF WITNESSES DATED 12.01.2015.

EXHIBIT P2. TRUE COPIES OF I.A.262/2015 DATED 15.01.2015.

EXHIBIT P3. TRUE COPIES OF THE ADDITIONAL LIST OF WITNESSES
DATED 15.01.2015.

EXHIBIT P4. TRUE COPY OF I.A.263/2015 DATED 15.01.2015.

EXHIBIT P5. TRUE COPY OF I.A.264/2015 DATED 15.01.2015.

EXHIBIT P6. TRUE COPY OF I.A.302/2015 DATED 17.01.2015.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
O.P.(C) No.221 of 2015
.....

Dated this the 31st day of July, 2015

J U D G M E N T

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It has come out that the copies of orders on Exts.P2, P4 and P5 have been served on the petitioner.

2. the other complaint is that the evidence was closed after examining only one witness, without examining the other witnesses. The petitioner wanted to examine the remaining witnesses.

3. The learned counsel for the contesting respondent has pointed out that the petitioner wanted to purchase time unnecessarily and the matter is being dragged on. A foreigner has also been included as one of the witnesses in the list.

4. The court below shall re-open the evidence and permit the petitioner to examine the witnesses of the petitioner within a time frame, as may be ordered by the

court below. The court below shall give one opportunity on a specific posting date to the petitioner to examine the foreigner, who is included in the list and the petitioner shall produce that witness before the court below. The court below need not take any steps for procuring his presence.

5. This is a suit of 2011. The court below shall dispose of the suit, as expeditiously as possible, at any rate, within a period of six months from the date of receipt of a copy of this judgment.

O.P.(Civil) is disposed of as above.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/31/07

// True Copy //

PA to Judge