

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

OP(C).No. 543 of 2015 (O)

EP 182/2012 of FIRST ADDITIONAL DISTRICT JUDGE, PALAKKAD

PETITIONER :

**AASIYA,W/O.USMAN, AGED 45 YEARS,
KULANGARA HOUSE, KARKKIDAMKUNNU P.O.,
ALANALLUR VILLAGE, MANNARKAD TALUK, PALAKKAD.**

**BY ADVS.SRI.JACOB SEBASTIAN
SMT.SHAMSEERA. C.ASHRAF
SRI.T.U.SUJITH KUMAR**

RESPONDENT :

**MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED,
GATEWAY BUILDING, APOLLO BUNDER,
MUMBAI MAHARASHTRA-400 001
REPRESENTED BY ITS LEGAL OFFICER.**

BY ADV. SRI.DEVAPRASANTH.P.J.

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 03-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE SALE PROCLAMATION DATED JANUARY 17, 2015.
- EXT.P2: A TRUE COPY OF THE COUNTER STATEMENT DATED FEBRUARY 25, 2015 FILED BY THE PETITIONER IN EXECUTION PETITION NUMBER 182/2012 OF THE COURT OF THE FIRST ADDITIONAL DISTRICT JUDGE OF PALAKKAD.
- EXT.P3: A TRUE COPY OF THE APPLICATION DATED FEBRUARY 25, 2015 SUBMITTED BY THE PETITIONER TO RECEIVE EXHIBIT P2 COUNTER STATEMENT ON FILE.
- EXT P4: A TRUE COPY OF THE APPLICATION DATED FEBRUARY 25, 2015 SUBMITTED BY THE PETITIONER SEEKING STAY OF THE COURT SALE.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

B. KEMAL PASHA, J.

.....
O.P.(C) No.543 of 2015
.....

Dated this the 3rd day of June, 2015

J U D G M E N T

~ ~ ~ ~ ~

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

2. The court below is directed to settle a fresh
proclamation, after considering Exts.P2 and P3 and after
giving an opportunity of being heard to the petitioner, for
which Ext.P1 shall stand set aside.

In the result, OP(Civil) is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/03/06

// True Copy //

PA to Judge