

IN THE HIGH COURT OF KERALAAT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

OP(C).No. 778 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN EP 179/2014 of SUB COURT, SULTHAN BATHERY

PETITIONER(S):

1. MOHANAN M.B AGED 52 YEARS
MUNDAPPURATHU HOUSE, CHEERAL VILLAGE, THAZHATHOOR PO
SULTHAN BATHERY TALUK, WYNAD DISTRICT, PIN 673595
2. SALINI MOHANAN
W/O.MOHANAN, MUNDAPPURATHU HOUSE, CHEERAL VILLAGE
THAZHATHOOR PO, SULTHAN BATHERY TALUK, WYNAD DISTRICT
PIN 673595

BY ADVS.SRI.N.SUKUMARAN (SR.)
SRI.S.SHYAM
SRI.N.K.KARNIS
SRI.SAJI VARGHESE KAKKATTUMATTATHIL

RESPONDENT(S):

CO-OPERATIVE HOUSING SOCIETY
SULTHAN BATHERY, REPRESENTED BY ITS SECRETARY
SULTHAN BETHERY, PO, WAYANAD DISTRICT PIN 673592

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 27-05-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C).No. 778 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

P1:TRUE COPY OF THE EXECUTION PETITION FILED BY THE RESPONDENT BEFORE THE SUB COURT, SULTHANBATHERY DATED 31.07.2014

P2:TRUE COPY OF THE SALE PROLAMATION ISSUED BY THE SUB COURT, SULTHAN BATHERY DATED 06.03.2015

P3:TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE KERLA FARMERS' DEBT RELIEF COMMISSION DATED 27.11.2012

RESPONDENT(S)' EXHIBITS : NIL

// True Copy //

PA to Judge

B. KEMAL PASHA, J.

.....
O.P.(C) No.778 of 2015
.....

Dated this the 27th day of May, 2015

J U D G M E N T

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

2. It seems that an amount of ₹50,000/- has already been paid towards the decree debt. The petitioners are allowed to discharge the balance decree debt by making monthly payments of ₹30,000/- each starting from 26.06.2015 onwards. Till then, the execution proceedings shall stand stayed. In case of default of any of the instalments, the property could be put to sale.

OP(Civil) is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/27/05

// True Copy //

PA to Judge