

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 4TH DAY OF AUGUST 2015/13TH SRAVANA, 1937

OP(C).No. 2663 of 2013 (O)

OS 313/2010 OF ADDITIONAL SUB COURT - II, THRISSUR
.....

PETITIONER(S)/2ND DEFENDANT:

MUHAMMED ASRAFF, AGED 43,
S/O.PAMBRA MUKARIKUTTY, ERUMAPETTY DESOM,
KARIYANNUR VILLAGE, THALAPILLY TALUK.

BY ADV. SMT.R.PADMAKUMARI

RESPONDENT(S):

1. PUTHIYAVEETIL UMMER, AGED 67,
S/O.NARANATH AHAMMAD MUSLYAR,
ERUMAPETTY DESOM, KARIYANNUR VILLAGE,
THALAPILLY TALUK, THRISSUR DISTRICT - 680 584.
2. FAROOQ, AGED 38,
S/O.VIRIALIPPURATHU ABDUL, VADAKKUMURI DESOM,
PALLIKKARA VILLAGE, PONNANI TALUK - 679 577.

R1 BY ADV. SRI.RAJIT

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 04-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

OP(C).No. 2663 of 2013 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:-TRUE COPY OF THE COMPROMISE PETITION DTD 21/6/2010 FILED IN OS 313/2010 ON THE FILES OF SUBORDINATE COURT, THRISSUR.

P2:-TRUE COPY OF THE DECREE IN OS NO 313/2010 DTD 24/6/2010 ON THE FILES OF II ADDITIONAL SUBORDINATE JUDGE, THRISSUR SUBORDINATE JUDGE, THRISSUR.

P3:-TRUE COPY OF THE JUDGMENT IN OS NO 313/2010 DTD 24/6/2010 ON THE FILES OF THE II ADDITIONAL SUBORDINATE JUDGE, THRISSUR.

P4:-TRUE COPY OF THE ORDER DTD 6/9/2012 IN EP 295/2011 IN OS 313/2010 ON THE FILES OF PRINCIPAL SUBORDINATE JUDGE, THRISSUR.

P5:-TRUE COPY OF THE NOTICE OF PROCLAMATION SALE ISSUED BY THE SUBORDINATE JUDGE , THRISSUR IN EP 295/2011 IN OS NO.313/2010.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B. KEMAL PASHA, J.

.....
O.P.(C) No.2663 of 2013
.....

Dated this the 4th day of August, 2015

J U D G M E N T

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

2. Learned counsel for the petitioner requests that the petitioner may be permitted to pay off the balance decree debt in five equal monthly instalments. The respondents shall file a statement before the court below within one month showing the balance amount to be paid, with copy to the learned counsel for the petitioner, so that the balance EP amount shall be paid in five equal monthly instalments. The instalments shall commence on 05.10.2015. Till then, the execution proceedings shall stand stayed. In case of default of any of the instalments, the execution proceedings will revive.

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

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/04/08

// True Copy //
PA to Judge