

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

OP(C).No. 1035 of 2015 (O)

(E.P.NO.248/2014 IN O.S.NO.49/2011 OF 1ST ADDITIONAL SUB COURT, KOZHIKODE)

PETITIONER/JUDGMENT DEBTOR NO.2 :

**RAJAGOPAL K., AGED 73 YEARS,
S/O.VELAYUDHAN, SOLE PROPRIETOR,
M/S.NEW INDIA AUTOMOTIVE 19/3, CORPORATION BUILDING,
PUTHIYAPALAM, CHALAPPURAM, KOZHIKODE-673 002.**

**BY ADVS.SRI.K.SANEESH KUMAR
SMT.V.B.SANTHINI**

RESPONDENT(S)/DECREE HOLDER/JUDGMENT DEBTOR NO.1 :

- 1. STATE BANK OF TRAVANCORE,
PALAYAM BRANCH, REP. BY ITS CHIEF MANAGER, SARC,
STATE BANK OF TRAVANCORE, KALATHINKUNNU AMSOM, DESOM,
KOZHIKODE TALUK, KOZHIKODE DISTRICT-673 001.**
- 2. SIVADASAN.N.,AGED 58,
S/O.LATE CHATHUKUTTY, SOLE PROPRIETOR,
SIVADAS BAKERY, TALUK CROSS ROAD,
BEHIND ANJALA APARTMENTS, CALICUT-673 004,
RESIDING AT NAMBURATH, KALATHIL HOUSE, SREESAILAM,
PALAZHI, PALA, KOZHIKODE-673 014.**

**R1 BY SRI.T.SETHUMADHAVAN,SENIOR ADVOCATE
ADVS. SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
R2 BY ADV. SMT.B.SHAMEERA**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD
ON 25-05-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(C).No. 1035 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1- A TRUE PHOTOCOPY OF THE EXECUTION PETITION FILED BY THE
1ST RESPONDENT AS EP NO.248/2014 IN OS NO.49/2011 ON THE FILE
OF THE 1ST ADDITIONAL SUB COURT-KOZHIKODE DATED 7.4.2014.
- EXT.P2- A TRUE PHOTOCOPY OF THE OBJECTION FILED BY THE PETITIONER
IN EP NO.248/2014 IN OS NO.49/2011 ON THE FILE OF THE 1ST
ADDITIONAL SUB COURT, KOZHIKODE DATED 8.7.2014.
- EXT.P3- TRUE COPY OF THE ORDER PASSED IN EP NO.248/2015 IN OS.49/2011
DATED 12.3.2015 ON THE FILE OF THE 1ST ADDITIONAL
SUBORDINATE JUDGES COURT, KOZHIKODE.
- EXT.P4- A TRUE COPY OF THE REVIEW PETITION IE, RP NO.294/2015 IN EP
NO.248/2015 IN OS 49/2011 ON THE FILE OF THE 1ST
ADDITIONAL SUB COURT, KOZHIKODE DATED 13.3.2015 FILED BY THE
PETITIONER
- EXT.P5- A TRUE PHOTOCOPY OF THE EA NO.293/2015 IN EP NO.248/2014 IN OS
49/2011 DATED 13.3.2015 FILED BY THE PETITIONER TO RECALL THE
WARRANT BEFORE THE 1ST ADDITIONAL SUB JUDGES COURT,
KOZHIKODE .

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
O.P.(C) No.1035 of 2015
.....

Dated this the 25th day of May, 2015

J U D G M E N T

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Heard learned counsel for the petitioner and
learned counsel for the 1st respondent.

2. In the facts and circumstances of the case, the
court below is directed to dispose of Ext.P4 review petition
within 15 days from the date of receipt of a copy of this
judgment.

OP(Civil) is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/25/05

// True Copy //

PA to Judge