

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

OP(C) .No. 1143 of 2015 (O)

IN E.P.NO.25/2013 IN O.S.NO.244/2002 OF MUNSIFF'S COURT,
PATHANAMTHITTA

PETITIONER(S) /JUDGMENT DEBTOR/DEFENDANT:

JAYAPRAKASH S. ,
AGED 47 YEARS, SON OF SUKUMARAN NAIR,
JAYAMOHANAM VEEDU,
ELANTHOOR P.O. ,
PATHANAMTHITTA, PIN 689 643.

BY ADVS.SRI.C.P.SAJI
SMT.P.DEEPA MOHAN.

RESPONDENT(S) /DECREE HOLDER/PLAINTIFF:

R. ANIL,
PAPPADIYIL HOUSE, KEEZHCHERIMEL MURI,
CHENGANNUR, CHENGANNUR P.O. ,
PIN - 689 121, ALAPPUZHA DISTRICT.

BY ADV. SRI.K.N.RADHAKRISHNAN(THIRUVALLA) .

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 22-06-2015,
ALONG WITH OPC. 1144/2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE EXECUTION PETITION E.P.NO.25/2013 IN O.S.NO.244 OF 2002 ON THE FILE OF THE MUNSIF'S COURT, PATHANAMTHITTA.

EXHIBIT-P2: TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER IN E.P.NO.25/2013 IN O.S.NO.244/2002 DATED 21.11.2013 BEFORE THE MUNSIF'S COURT, PATHANAMTHITTA.

EXHIBIT-P3: TRUE COPY OF THE AFFIDAVIT FILED BY THE PETITIONER IN E.P.NO.25/2013 IN O.S.NO.244/2002 BEFORE THE MUNSIF'S COURT, PATHANAMTHITTA.

EXHIBIT-P4: TRUE COPY OF PETITION IN E.P.NO.25/2013 IN O.S.NO.244/2002 DATED 06.12.2014 FILED BY THE PETITIONER BEFORE THE MUNSIF'S COURT, PATHANAMTHITTA.

EXHIBIT-P5: TRUE COPY OF ORDER SHEET DATED 18.04.2011 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-I, CHENGANNOOR IN C.C.NO.621/2004.

EXHIBIT-P6: TRUE COPY OF THE ORDER DATED 15.10.2014 IN OP(FC) NO.501/2015 OF THE HON'BLE HIGH COURT OF KERALA, ERNAKULAM.

EXHIBIT-P7: TRUE COPY OF AFFIDAVIT DATED 22.02.2014 FILED BY THE RESPONDENT BEFORE THE MUNDIFF'S COURT, PATHANAMTHITTA IN E.P.NO.26/2013 IN O.S.NO.367/2001.

EXHIBIT-P8: TRUE COPY OF THE ORDER DATED 26.03.2015 OF THE MUNSIF'S COURT, PATHANAMTHITTA IN E.P.NO.25 OF 2013 IN O.S.NO.244/2002.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B. KEMAL PASHA, J.

.....
O.P.(C) Nos.1143 & 1144 of 2015
.....

Dated this the 22nd day of June, 2015

J U D G M E N T

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

2. The petitioner is permitted to pay off the decree debt in the said two EPs at the rate of ₹7,500/- per month, thereby paying a total amount of ₹15,000/- per month in both the EPs. The 1st instalment shall commence on 08.07.2015. In case of default of any of the instalments, the execution proceedings shall continue.

Both the original petitions are disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/22/06

// True Copy //

PA to Judge