

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

OP(C).No. 36 of 2014 (O)

E.P. NO.38/2012 IN OS. NO.107/2003 OF SUB COURT, KOCHI.

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PETITIONER/JUDGMENT DEBTOR:

**P.S. SANTHOSH,
S/O.SANKARANKUTTY ELAYIDOM,
23/2896, PALLURUTHY, KOCHI-2.**

**BY ADVS.SRI.A.T.ANILKUMAR,
SMT.V.SHYLAJA.**

RESPONDENT/DECREE HOLDER:

**P. VENU, AGED 48 YEARS,
S/O.APPU, A/47, MATTANCHERY,
KOCHI-2.**

**BY ADVS. SRI.K.N.SIVASANKARAN,
SRI.SUNIL SHANKER.**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 19-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).No. 36 of 2014 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1 COPY OF THE EXECUTION PETITION EP NO.38/2012 IN
 OS NO.107/2003 OF SUB COURT, KOCHI.**

**EXHIBIT P2 COPY OF THE TYPE WRITTEN ORDER IN EP NO.38/2012 IN
 OS NO. 107/2003 OF SUB COURT, KOCHI.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.BHAVADASAN, J.

O.P.(C) No.36 of 2014

Dated this the 19th day of January, 2015

J U D G M E N T

At the time of hearing of this petition, the prayer made was that time may be granted to the petitioner to pay off the balance decree amount in instalments.

2. After having heard the learned counsel on both sides and after having given anxious consideration to various aspect, it is felt that petitioner may be allowed to pay off the balance decree debt in ten equal monthly instalments; first of which shall be paid on or before **17.02.2015** and to be followed by subsequent instalments shall be paid on or before 17th of every succeeding month. If any one of the instalments is defaulted, proceedings in execution shall continue. The amount already deposited will be allowed to be withdrawn by the decree holder on proper application.

**P.BHAVADASAN
JUDGE**

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