

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

OP(C).No. 1186 of 2015 (O)

E.P.NO.256/2010 IN O.S.NO.50/2008 OF THE SUB COURT, THRISSUR

PETITIONER(S) :

**KUTTAN, AGED 72 YEARS,
S/O.RAMANKUTTY, PARAKKALVEETIL, MUTTICHUR DESOM,
PADIYAM VILLAGE, THRISSUR TALUK.**

**BY ADVS. SRI.C.A.CHACKO
SMT.C.M.CHARISMA**

RESPONDENT(S) :

**BABY,
S/O.PYLOTH, CHAKKALACKAL HOUSE, PALACKAL,
VENGINISSERY VILLAGE, THRISSUR TALUK- 695 001.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 22-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

OP(C).No. 1186 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF EP NO.256/2010 FILED BY RESPONDENT.**
- P2: TRUE COPY OF COUNTER FILED BY PETITIONER IN EP NO.256/2010.**
- P3: TRUE COPY OF SALE NOTICE DATED 31.01.2015.**
- P4: TRUE COPY OF SALE NOTICE FOR CONDUCTING SALE ON 28.05.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
O.P.(C) No.1186 of 2015
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Dated this the 22nd day of May, 2015

J U D G M E N T

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It seems that the petitioner is seriously bedridden. Considering the peculiar facts and circumstances of the case, this Court is of the view that the petitioner can be permitted to discharge the decree debt in five equal monthly instalments starting from 22.06.2015 onwards. Till then, the execution 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/22/05

// True Copy //

PA to Judge