

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

OP(C).No. 1299 of 2015 (O)

E.P.NO.40/2015 OF SUB COURT,THALASSERY

O.S.NO.364/2008 OF SUB COURT-I, KOZHIKODE

PETITIONER(S)/RESPONDENT/DEFENDANT :

**SHEELA, AGED 50 YEARS,
W/O.MOHANAN, FLAT NO.B3, N.G.O QUARTERS,
MARYKUNNU, CHEVAYOOR, KOZHIKKODE,
NOW RESIDING AT DEVIPHRAM (HOUSE),
PANNYANNUR AMSOM AND DESOM, THALASSERY.**

BY ADV. SRI.MOHANAN V.T.K.

RESPONDENT(S)/PETITIONER/PLAINTIFF :

**K.PRAKASH,
S/O.KUNHIRAMAN NAIR, THEVARKANDI KIZHAKKAYIL,
PUTHIYARA, KOZHIKODE, PIN- 673 004.**

**BY ADVS. SRI.P.B.KRISHNAN
SRI.P.M.NEELAKANDAN
SRI.P.B.SUBRAMANYAN
SRI.SABU GEORGE
SRI.S.NITHIN (ANCHAL)**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 03-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

OP(C).No. 1299 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE EXECUTION PETITION PENDING
E.P NO.40/2015 BEFORE THE SUB COURT, THALASSERY
DATED 23.02.2015.**

**EXHIBIT P2: TRUE COPY OF THE I.A NO.1752/2015 FILED BEFORE THE SUB
COURT-1, KOZHIKKODE FOR EXTENDING TIME FOR DEPOSITING
THE COST IMPOSED BY THE COURT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
O.P.(C) No.1299 of 2015
.....

Dated this the 3rd 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 respondent.

2. The petitioner shall deposit an amount of ₹50,000/- being part of the EP amount before the court below within a period of two weeks from today. The court below shall dispose of Ext.P2 IA, as expeditiously as possible, at any rate, within a period of one month thereafter. In the meantime, the execution proceedings shall stand stayed.

O.P.(Civil) is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/03/08

// True Copy //

PA to Judge