

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

OP(C).No. 1343 of 2015 (O)

I.A. NO.1915/2015 IN O.S. NO.314/2013 OF MUNSIF COURT, KOZHIKODE-II.

.....

PETITIONER(S):

K.P. UDAYAKUMAR, AGED 44 YEARS,
S/O.KRISHNAPOYILIL BALAKRISHNAN,
KOVOOR DEOSM, KOZHIKODE TALUK,
P.O. MEDICAL COLLEGE, KOZHIKODE - 673 008.

BY ADVS.SRI.P.T.MOHANKUMAR,
SRI.P.K.RAMKUMAR.

RESPONDENT(S):

P.M. ARAVINDAKSHAN, AGED 48 YEARS,
S/O.P.PR. KURUP, SARADA NILAYAM,
CHELAVOOR VILLAGE, MAYANAD DESOM,
MAYANAD P.O., KOZHIKODE TALUK-673 571.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 25-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rs.

OP(C).No. 1343 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 - TRUE PHOTOSTAT COPY OF THE PLAINT DATED 20.05.2013.
- P2 - TRUE PHOTOSTAT COPY OF THE DOCUMENT DATED 07.05.2001.
- P3 - TRUE PHOTOSTAT COPY OF THE PETITION WAS NUMBERED
AS I.A.1915/2015 DATED 21.03.2015.
- P4 - TRUE PHOTOSTAT COPY OF THE ORDER IN IA.1915/2015 DATED 04.04.2015.

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.A. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
O.P.(C) No.1343 of 2015
.....

Dated this the 25th day of June, 2015

J U D G M E N T

~ ~ ~ ~ ~

The complaint of the petitioner is that two documents, which could not have been admitted in evidence, were marked in the proceedings by the court below. The same was challenged through I.A.No.1915/2015. The court below has dismissed the IA through Ext.P4 order. The said order is under challenge.

2. Heard learned counsel for the petitioner.

3. It seems that in Ext.P4 order itself, the court below has stated that *“However, the proof of the above documents with regard to the alleged execution of the same by the plaintiff is something different and hence proof of the above documents can be considered at the time of appreciating the evidence”*. When such a reservation has been made by the court below in Ext.P4 order, this Court is

OPC.1343/2015

: 2 :

of the view that the order impugned is not liable to be interfered with.

In the result, this O.P.(Civil) is closed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/25/06

// True Copy //

PA to Judge