

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

OP(C).No. 1417 of 2015 (O)

OS.NO.392/2012 OF SUBORDINATE COURT, TIRUR

PETITIONER(S):

**MUNDEKKAT SAMEER,
S/O.MUHAMMADALI, ELATHAPADAM,
TIRUR AMSOM, KOTT DESOM, TIRUR P.O.,
TIRUR TALUK, MALAPPURAM DISTRICT.**

BY ADV. SRI.P.M.RAFIQ

RESPONDENT(S):

**AMITHANAKKATTU PATHYAPURAYIL SIDDIQUE,
S/O.ABDURRAHMAN, RAYIRAPURAM AMSOM,
RAYIRAPURAM AMSOM, RAIYRAPURAM DESOM,
P.O.TANUR, TIRUR TALUK, MALAPPURAM DISTRICT-676121.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 18-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

OP(C).No. 1417 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE JUDGMENT AND DECREE IN OS.391/12 OF THE COURT OF SUBORDINATE JUDGE, TIRUR, DATED 9/10/13**
- P2: COPY OF EP.158/13 IN OS.392/12 OF THE COURT OF SUBORDINATE JUDGE, TIRUR.**
- P3: COPY OF THE IA.126/15 TO SET ASIDE THE EXPARTE DECREE IN OS.392/12**
- P4: COPY OF THE ORDER DATED 10/4/15 IN IA.379/15 N IA.126/15 IN OS.392/12 OF THE COURT OF SUBORDINATE JUDGE, TIRUR.**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

.....
O.P.(C) No.1417 of 2015
.....

Dated this the 18th day of June, 2015

J U D G M E N T

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An ex-parte decree was passed in O.S.No.392/2012. For getting the ex-parte decree set aside, I.A.No.126/2015 was filed along with I.A.No.125/2015 for the condonation of delay caused in filing I.A.No.126/2015. Both the said applications happened to be dismissed for default. For restoring the said applications, I.A.Nos.1014/2015 and 1015/2015 are filed. Those IAs have not been disposed of by the court below. It is shown that the execution proceedings are going on.

2. The court below is directed to consider and dispose of the aforesaid IAs, as expeditiously as possible, at

OPC.1417/2015

: 2 :

any rate, within three weeks from the date of receipt of a copy of this judgment. The execution proceedings shall stand stayed till then.

OP(Civil) is disposed of as above.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/18/06

// True Copy //

PA to Judge