

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

OP(C).No. 1580 of 2015 (O)

OS.NO.67/2006 OF SUB COURT, NEDUMANGAD

PETITIONER/PETITIONER:

ABOOBACKER, AGED 50 YEARS,
S/O. MYTHEEN KUNJU, SUHARA NIVAS, THANNIMOODU,
AMARAVILA, NEYYATTINKARA,
REPRESENTED BY POWER OF ATTORNEY HOLDER,
MUHAMMED SALI, AGED 69 YEARS, S/O. PEERU MUHAMMED,
ABU-JABIR MANZIL, CHARAMOODU, PUTHUKULANGARA P.O,
UZHAMALAKKAL VILLAGE, NEDUMANGAD TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.G.ANEESH
SRI.P.V.ANOOP
SMT.PRIYANKA VARGHESE

RESPONDENTS/RESPONDENTS:

1. V.R.SANTHOSH KUMAR,
S/O. RAVEENDRAN NAIR, MELE PLAKKALA VEEDU
KARIPOOR VILLAGE-695541.
2. P.JAYAPRAKASH,
S/O. PADMANABHA PILLAI, KUPPAKONATHU VEEDU,
THEKKUM KARA, NEDUMANGAD,
THIRUVANANTHAPURAM DISTRICT-695541.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 06-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- TRUE COPY OF THE POWER OF ATTORNEY DATED 31-03-2014
EXECUTED BY THE PETITIONER IN FAVOUR OF MUHAMMED SALI, S/O.
PEERU MOHAMMED.
- EXHIBIT P2- A COPY OF THE ORDER DATED 18-09-2014 IN E.A.NO. 190/2011 AND
E.A. 171/2011 IN E.P.NO. 12/2008 IN O.S.NO. 67/2006 ON THE FILE OF
THE SUBORDINATE JUDGE, NEDUMANGAD.
- EXHIBIT P3- A COPY OF THE APPEAL MEMORANDUM IN EX.A.S.NO. 38/2015 ON
THE FILE OF THE DISTRICT JUDGE, THIRUVANANTHAPURAM.
- EXHIBIT P4- A COPY OF THE DELAY PETITION WHICH IS NUMBERED AS I.A.NO.
486/2015 IN EX.A.S.NO. 38/2015 ON THE FILE OF THE DISTRICT JUDGE,
THIRUVANANTHAPURAM.
- EXHIBIT P5- A COPY OF THE STAY PETITION FILED IN EX.A.S.NO. 38/2015 ON THE
FILE OF THE DISTRICT JUDGE, THIRUVANANTHAPURAM.
- EXHIBIT P6- A COPY OF THE PETITION FILED BY THE PETITIONER AS E.A.NO.
41/2015 IN E.P.NO. 12/2008 IN O.S.NO.67/2006 ON THE FILE OF THE
SUBORDINATE JUDGE, NEDUMANGAD.
- EXHIBIT P7- A COPY OF THE ORDER DATED 15-06-2015 IN E.A.NO. 41/2015 IN
E.P.NO.12/2008 IN O.S.NO. 67/2006 ON THE FILE OF THE SUBORDINATE
JUDGE, NEDUMANGAD.
- EXHIBIT P8- A COPY OF THE ORDER DATED 15-06-2015 IN E.A.NO. 171/2011 IN
E.P.NO. 12/2008 IN O.S.NO. 67/2006 ON THE FILE OF THE
SUBORDINATE JUDGE, NEDUMANGAD.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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O.P.(C).No.1580 of 2015

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Dated this the 6th day of July, 2015

J U D G M E N T

It seems that an appeal has already been filed challenging the judgment and decree of the court below and the matter is pending before the appellate court. It is also pointed out by the learned counsel for the petitioner that notice has been ordered by the appellate court. The execution proceedings shall stand stayed for a period of two months for enabling the petitioner to obtain orders from the appellate court.

This Original Petition (Civil) is disposed of accordingly.

Sd/- **B.KEMAL PASHA**
JUDGE

DSV/6/7/15

[True copy]

P.A. to Judge