

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

OP(C).No. 1587 of 2015 (O)

EP 303/.14 OF 1ST SUB COURT, PARAVOOR, ERNAKULAM.

PETITIONER/JUDGMENT DEBTOR IN EP 303/.14 OF 1ST SUB COURT, PARAVOOR:

**BINU PAUL, AGED 33, S/O. POULOSE,
MATTAPPILLY (H), PULIYANAM,
PARAKADAVU VILLAGE-683572.**

**BY ADVS.SRI.PRAVEEN K. JOY
SRI.NIXON PAUL**

RESPONDENT/DECREE HOLDER IN EP 303/14 OF 1ST SUB COURT:

**P.T.PAUL, AGED 51, S/O. THOMAS,
PALLIPADAN VEEDU, ANGADIKADAVU DESOM,
ANGAMALY VILLAGE, ALUVA TALUK-683572.**

**BY ADVS. SRI.VINOD RAVINDRANATH
SRI.SAJU.S.A
SMT.MEENA.A.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 15-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

mbr/

OP(C).No. 1587 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1- THE TRUE PHOTOCOPY OF THE EXECUTION PETITION 303/14 BEFORE
THE 1ST ADDL SUB COURT, PARAVUR.**

**EXHIBIT P2- THE TRUE PHOTOCOPY OF THE OBJECTION BEFORE THE
EXECUTION COURT.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

.....
O.P.(C) No.1587 of 2015
.....

Dated this the 15th day of July, 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. According to the learned counsel for the petitioner, that much extent of property attached in execution by the court below is not required to be sold for meeting the decree.

3. *Per contra*, learned counsel for the respondent has pointed out that the fair value fixed by the Government for the said wet land is ₹15,000/- per cent.

4. It seems that the court below has not fixed the upset price and has not proclaimed the property for sale. This O.P. (Civil) is too premature and the same is only to be dismissed.

In the result, this O.P.(Civil) stands dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/15/07

// True Copy //

PA to Judge