

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

OP(C).No. 1619 of 2015 (O)

EP.NO. 20/2015 OF II ADDL.SUB COURT, ERNAKULAM
AS.NO.13/2014 OF ADDL.DISTRICT COURT-V, ERNAKULAM

PETITIONER(S):

- 1. M/S. SREE GOKULAM HOUSING CO. PVT. LTD.,
SREE GOKULAM SPRING TOWER, MUTTAMBALAM.P.O.,
K.K.ROAD, KANJIKUZH, KOTTAYAM-686 004,
REPRESENTED BY ITS MANAGING DIRECTOR MR.JIMMY GEORGE.**
- 2. MR.JIMMY GEORGE, MANAGING DIRECTOR,
M/S. SREE GOKULAM HOUSING COMPANY PVT. LTD.,
SREE GOKULAM SPRING TOWER, MUTTAMBALAM.P.O.,
K.K.ROAD, KANJIKUZH, KOTTAYAM-686 004**

**BY ADVS.SMT.AYSHAMMA ABRAHAM
SARATH PRASAD S
SMT.ANUPA DAS**

RESPONDENT :

**M/S. COCHIN FIRE TECH INDIA PVT. LTD.,
1ST FLOOR, FIRE TECH HOUSE, K.K.ROAD, KALOOR,
KOCHI-682 016, REPRESENTED BY ITS' MANAGING DIRECTOR,
MR.CLEMENT.T.L.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(C).NO.1619/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE EA.252 OF 2015 IN EP.NO.20 OF 2015 FILED BEFORE THE ADDITIONAL SUB COURT-II, ERNAKULAM
- P2 COPY OF THE I.A.NO.1460 OF 2015 IN AS NO.13 OF 2014 FILED BEFORE THE ADDITIONAL DISTRICT COURT-V, (EDAMALAYAR SPECIAL COURT) ERNAKULAM
- P3 COPY OF THE CHEQUE APPLICATION FILED BY THE RESPONDENT IN EP.NO.20 OF 2015 BEFORE THE ADDITIONAL SUB COURT-II, ERNAKULAM
- P4 COPY OF THE OBJECTION FILED BY THE PETITIONER TO EXHIBIT P3, CHEQUE APPLICATION IN EP.NO.20 OF 2015 BEFORE THE ADDITIONAL SUB COURT-II, ERNAKULAM
- P5 COPY OF THE I.A.NO.3382 OF 2015 IN AS NO.13 OF 2014 FILED BEFORE THE ADDITIONAL DISTRICT COURT-V, (EDAMALAYAR SPECIAL COURT) ERNAKULAM
- P6 COPY OF THE ORDER IN IA.NO.1460/2015 IN AS.NO.13/2014 BEFORE THE ADDITIONAL DISTRICT COURT-V (EDAMALAYAR SPECIAL COURT) ERNAKULAM
- P7 COPY OF THE ORDER IN IA.NO.3382/2015 IN AS.NO.13/2014 BEFORE THE ADDITIONAL DISTRICT COURT-V, (EDAMALAYAR SPECIAL COURT) ERNAKULAM

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B.KEMAL PASHA, J.

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O.P.(C).No.1619 of 2015

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Dated this the 8th day of July, 2015

J U D G M E N T

Heard the learned counsel for the petitioners.

2. The petitioners have never forwarded the request in this Original Petition (Civil), before the appellate court, where the appeal is still pending. It is open to the petitioners to approach the appellate court with the request. Instead of that, it seems that the petitioners had moved the appellate court for the stay of execution of the decree. As E.P. was closed, the appellate court had rightly dismissed the said I.A. For moving the appellate court for appropriate relief in the matter, the petitioners are granted 15 days' time. The cheque application shall not be disposed of within a period of one month from today.

This Original Petition (Civil) is dispose of as above.

Sd/-

**B.KEMAL PASHA
JUDGE**