

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

OP(C).No. 1707 of 2015 (O)

**E.P.NO.167/2015 AND E.A.NO.265/2015 IN R.C.P.NO.118/2005 OF THE LEARNED
MUNSIFF'S COURT, ERNAKULAM**

PETITIONER(S)/JUDGMENT DEBTOR :

**O.M.THOMAS, AGED 63 YEARS,
S/O.THOMAS MATHEW, OONNUKALLUMTHOTYIL HOUSE,
KATTACHERA P.O., ETTUMANNOOR, KOTTAYAM,
PRESENTLY FUNCTIONING AS THE MANAGING PARTNER,
M/S.UNITED TRADING AGENCIES, KALOOR, KOCHI- 17.**

**BY ADVS.SRI.R.SANJITH
SMT.C.S.SINDHU KRISHNAH**

RESPONDENT(S)/DECREE HOLDERS :

- 1. SUNIL KUMAR, AGE NOT KNOWN TO THE PETITIONER,
S/O.SUBRAMANYAN, CLASSIC 5, CHOICE GARDEN,
IFC ROAD, KALOOR- 682 017.**
- 2. ATHIRA JAYARAJ,
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
FLAT NO.1 A5, SHWAS MYSTIC CHARMS, BHUVANESWARI ROAD,
VYTTILA, ERNAKULAM- 682 019.**
- 3. INDU JAYARAJ,
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
FLAT NO.1 A5, SHWAS MYSTIC CHARMS, BHUVANESWARI ROAD,
VYTTILA, ERNAKULAM- 682 019.**
- 4. REMYA JAYARAJ,
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
FLAT NO.1 A5, SHWAS MYSTIC CHARMS, BHUVANESWARI ROAD,
VYTTILA, ERNAKULAM- 682 019.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 16-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

OP(C).No. 1707 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE JUDGMENT IN R.C.R.NO.207/2014
DATED 13/10/2014.**

**EXHIBIT P2: TRUE COPY OF I.A.NO.304/2015, I.A.NO.305/2015 AND
I.A NO.306/2015 IN R.C.R.NO.207/2014.**

**EXHIBIT P3: TRUE COPY OF THE E.A.NO.265/2015 ON THE FILES OF
THE LEARNED MUNSIF COURT, ERNAKULAM.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
O.P.(C) No.1707 of 2015
.....

Dated this the 16th day of July, 2015

J U D G M E N T

Heard both sides.

2. On specific conditions, the Division Bench of this Court has disposed of RCR 182/2014 and RCR 207/2014 through Ext.P1 common order. The revision petitioners were granted six months time from the date of Ext.P1 order on conditions to vacate the premises and handover vacant possession of the building to the landlords. The present request is that the revision petitioners/tenants want to get some clarification on Ext.P1 order from the Division Bench, for which a petition was filed before the Division Bench and the said petition is pending. In the mean time, the building is about to be delivered in execution and the delivery

proceedings are posted to 20.07.2015. The petitioner want to get the execution proceedings stayed. It is for the petitioner to move the Division Bench of this Court for obtaining any such order or to get Ext.P1 order clarified. The petitioner has to take up the matter before the Division Bench of this Court which passed Ext.P1 order. Presently, this Court cannot allow the request of stay of the execution proceedings.

In the result, this Original Petition is dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge