

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 17TH DAY OF JULY 2015/26TH ASHADHA, 1937

OP(C).No. 1714 of 2015 (O)

**AGAINST THE ORDER DATED 09/07/2015 IN IA NO. 1171/2015 IN OS NO. 119/2011 OF
SUB COURT, TIRUR**

PETITIONER/DEFENDANT :

**KALLIL MANNIL KADAVATH ABDUL RAZAK
W/O.PARI, VAZHAYOOR AMSOM DESOM, VAZHAYOOR (PO)
PIN-676 503, ERANAD TALUK
MALAPPURAM DISTRICT.
REPRESENTED BY POWER OF ATTORNEY HOLDER MOYUTTY
S/O.PARI, KALLIL MANNIL KADAVATH HOUSE, VAZHAYOOR (PO)
PIN-676 503, ERANAD TALUK, MALAPPURAM DISTRICT.**

BY ADV. SRI.JAMSHEED HAFIZ

RESPONDENT/PLAINTIFF:

**KATTIKULANGARA HAMEED
S/O.HAMZA, PARAPPOOR AMSOM DESOM, PARAPPOOR (P.O)
PIN-676 503, TIRURANGADI TALUK, MALAPPURAM DISTRICT.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 17-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

OP(C).No. 1714 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1- A TRUE COPY OF THE PLAINT IN O.S.119/2011 BEFORE THE SUB COURT, TIRUR DATED 26.05.2011.
- EXT. P2- A TRUE COPY OF THE WRITTEN STATEMENT OF THE DEFENDANT IN O.S.119/2011 BEFORE THE SUB COURT, TIRUR DATED 26.09.2011.
- EXT. P3- A TRUE COPY OF THE POWER OF ATTORNEY EXECUTED BY THE DEFENDANT DATED 02.07.2012.
- EXT. P4- A TRUE COPY OF THE DEPOSITION OF THE PLAINTIFF DATED 15.08.2013.
- EXT. P5- A TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER HEREIN AS I.A.1171/2015 IN O.S.119/2011 BEFORE THE SUB COURT TIRUR DATED 07.07.2015.
- EXT. P6- A TYPED COPY OF THE ORDER DATED 09.07.2015 IN I.A.1171/2015 IN O.S.119/2011.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B. KEMAL PASHA, J.

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O.P.(C) No.1714 of 2015
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Dated this the 17th day of July, 2015

J U D G M E N T

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Heard learned counsel for the petitioner.

2. The defendant before the court below, who is abroad can reach here on 20.08.2015 only on account of VISA problems. His learned counsel has sought for an adjournment of the suit to some day after 20.08.2015, for which an application was filed. It seems that the court below has passed Ext.P6 order, thereby adjourning the case to 16.07.2015.

3. On hearing the learned counsel for the petitioner and on considering the facts and circumstances of the case, this Court is of the view that the court below has to be directed to post the case to 21.08.2015.

O.P.(Civil) is disposed of accordingly.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/17/07

// True Copy //
PA to Judge