

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. 1715 of 2015 (O)

**E.P. NO. 166/2015 AND EA NO. 266/2015 IN RCP 116/2005
OF MUNSIFF'S COURT, ERNAKULAM**

PETITIONER/JUDGMENT DEBTOR :

DR.K.G.GEORGE
S/O.K.G. GEORGE, AGED 65 YEARS
KAVALAPARAMBIL HOUSE, KONTHURUTHY
THEVARA, KOCHI 13, PRESENTLY CONDUCTING A
CLINIC AS K.G. CLINIC & LABORATORY, KALOOR, KOCHI 17.

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

RESPONDENTS/DECREE HOLDERS :

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- 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-682019
 - 3. INDU JAYARAJ**
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS
FLAT NO 1 A5, SHWAS MYSTIC CHARMS, BHUVANESWARI ROAD
VYTTILA, ERNAKULAM-682019
 - 4. REMYA JAYARAJ**
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONERS
FLAT NO 1 A5, SHWAS MYSTIC CHARMS, BHUVANESWARI ROAD
VYTTILA, ERNAKULAM-682019.

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

Mn

...2/-

OP(C).No. 1715 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXT. P1:- TRUE COPY OF THE JUDGEMENT IN RCR. 182/2014 DTD. 13/10/2014.

EXT. P2:- TRUE COPY OF IA 322/2015, IA 323/2015 AND IA NO. 324/2015 IN RCR NO. 182/2014.

EXT. P3:- TRUE COPY OF THE EA 266/2015 ON THE FILES OF THE LEARNED MUNSIF COURT, ERNAKULAM.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

B. KEMAL PASHA, J.

.....
O.P.(C) No.1715 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

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[True copy]

P.S. to Judge