

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 17TH DAY OF DECEMBER 2015/26TH AGRAHAYANA, 1937

OP(Crl.).No. 427 of 2015 (Q)

CMP.NO216/2013 IN MC 480/2012 OF FAMILY COURT, OTTAPPALAM

PETITIONER(S)/RESPONDENT:

BABU.K, AGED 34 YEARS,
S/O.APPU, KARUVAPPADATH HOUSE,
KADAMBAZHIPPURAM, OTTAPPALAM, PALAKKAD-678633.

BY ADV. SRI.T.K.SANDEEP

RESPONDENT(S)/PETITIONERS:

1. SMITHA, D/O.VATSALA, AGED 32 YEARS,
KULANGARATHODI HOUSE, PUNJAPPADAM,
KADAMBAZHIPPURAM, OTTAPALAM, PALAKKAD-678633.
2. SANOOP, S/O.SMITHA, AGED 13 YEARS,
KULANGARATHODI HOUSE, PUNJAPPADAM,
KADAMBAZHIPPURAM, OTTAPALAM, PALAKKAD-678633.
3. SUDHEESH, S/O.SMITHA, AGED 9 YEARS,
KULANGARATHODI HOUSE, PUNJAPPADAM,
KADAMBAZHIPPURAM, OTTAPALAM, PALAKKAD-678633.
(RESPONDENT 2 AND 3 BEING MINORS
REPRESENTED BY RESPONDENT NO.1 MOTHER.)

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON 17-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. A TRUE COPY OF THE AFFIDAVIT FILED ALONG WITH THE
APPLICATION TO SET ASIDE EXPARTE ORDER NUMBERED AS
CMP.285/2015 IN MC.480/12 BEFORE THE FAMILY COURT, OTTAPALAM**
- EXT.P2. A TRUE COPY OF THE AFFIDAVIT FILED ALONG WITH THE
APPLICATION TO CONDONE THE DELAY IN FILING APPLICATION TO
SET ASIDE EXPARTE ORDER NUMBERED AS CMP.284/2015 IN
MC.480/12 BEFORE THE FAMILY COURT, OTTAPALAM**
- EXT.P3. A TRUE COPY OF THE AFFIDAVIT FILED ALONG WITH THE
APPLICATION TO RESTORE CMP.284/15 AND CMP.
285/2015 IN MC.480/12 BEFORE THE FAMILY COURT, OTTAPALAM**
- EXT.P4. A TRUE COPY OF THE PROCEEDINGS CMP.216/13 IN MC.480/12
BEFORE THE FAMILY COURT, OTTAPALAM.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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O.P.(Crl.). No. 427 of 2015

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Dated this the 17th day of December, 2015

J U D G M E N T

Heard the learned counsel for the petitioner.

2. It has been pointed out that an amount of ₹30,000/-, out of the arrears of the maintenance, has already been deposited by this petitioner before the court below. That amount can be disbursed to the petitioners in the M.C. The court below shall dispose of Exhibit-P3 restoration application expeditiously. Till then, the execution proceedings against the petitioner shall stand stayed.

With the said direction, this O.P.(Crl.) is disposed of.

**Sd/-
B.KEMAL PASHA
JUDGE**

DSV/17/12/15

//True Copy//

PA. To Judge