

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

OP(C).No. 3020 of 2014 (O)

(OS 197/2010 of SUB COURT,NORTH PARAVUR)

PETITIONER/JUDGMENT DEBTOR/RESPONDENT IN E.P.:

PURUSHAN, AGED 44 YEARS
S/O.KARUNAKARAN, PUTHENCHANTHAYIL, MANJALY KARA
KARUMALLOOR VILLAGE, PARAVUR TALUK
ERNAKULAM DISTRICT.

BY ADVS.SRI.K.RAKESH ROSHAN
SRI.MANSOOR.B.H.

RESPONDENT/DECREE HOLDER/PETITIONER IN E.P.:

NANDANAN
S/O.AYYAPPAN MUTTOMMIKATHIL, KOTTAPURAM KARA
ALANGAD VILLAGE, PARAVUR TALUK, ERNAKULAM DISTRICT-
683511.

BY ADV. SRI.M.A.ABDUL HAKHIM

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 24-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C).No. 3020 of 2014 (O)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE PLAINT IN O.S.NO.197/2010 OF SUB-COURT, NORTH PARAVUR.

EXHIBIT-P2: TRUE COPY OF THE WRITTEN STATEMENT FILED IN O.S.NO.197/2010 OF SUB-COURT, NORTH PARAVUR.

EXHIBIT-P3: TRUE COPY OF THE DECREE IN O.S.NO.197/2010 OF SUB-COURT, NORTH PARAVUR.

EXHIBIT-P4: TRUE COPY OF THE E.P.NO.215/13 OF SUB COURT, NORTH PARAVUR.

EXHIBIT-P5: TRUE COPY OF THE COUNTER FILED IN E.P.NO.215/13 OF SUB COURT, NORTH PARAVUR, BY THE PETITIONER HEREIN.

EXHIBIT-P6: CERTIFIED COPY OF THE ORDER DATED 26/8/2014 IN E.P.NO.215/2013 OF SUB COURT, NORTH PARAVUR.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.3020 OF 2014

Dated this the 24th day of February, 2015.

J U D G M E N T

When the matter was taken up for hearing today, learned counsel appearing for the petitioner pointed out that the petitioner was unable to comply with the order dated 20.01.2015 and the time may be extended for the purpose of making payment. At that point of time, the respondent-decree holder pointed out that the matter itself may be disposed of directing the petitioner to pay the balance decree debt in instalments. When such a submission was made by the learned counsel for the respondent, learned counsel appearing for the petitioner prayed that the petitioner may be given liberty to pay the amount in 12 equal monthly instalments starting from March 2015 onwards.

2. This original petition is disposed of directing the judgment debtor i.e. the petitioner before this Court to pay the balance decree debt in 12 equal monthly instalments, first of which shall be paid on or before 23.03.2015 and subsequent

instalments on or before 23rd of every month. If any one of the instalments is defaulted, the decree holder can proceed against the judgment debtor. It is made clear that the amount already deposited by the judgment debtor will be adjusted.

Sd/-

P.BHAVADASAN
JUDGE

smp