

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

OP (MAC).No. 22 of 2015 (O)

AGAINST THE ORDER IN OPMV 270/2007 of MACT, THRISSUR.

PETITIONER(S):

K.R. SHAJI, S/O.LATE RAMAN,
KAMBILLY HOUSE, CHENBOOTHARA,
P.O.PATTIKKAD, PANANCHERRY, THRISSUR DISTRICT.

BY ADV. SRI.C.A.ANOOP

RESPONDENT(S):

THOMAS,
S/O.PAULOSE, CHIRAYATH HOUSE, P.O.NADATHARA,
THRISSUR DISTRICT, PIN – 680 751.

BY ADV. SRI.T.C.SURESH MENON

BY ADV. SRI.A.R.NIMOD

THIS OP (MAC) HAVING BEEN FINALLY HEARD ON 16-09-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP (MAC).No. 22 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE COPY OF THE JUDGMENT DATED 18.10.2012
IN O.P.(MV)NO.270/2007.

EXHIBIT P2. TRUE COPY OF THE APPLICATION I.A.8174/14 IN O.P.(MV)
NO.270/2007 FOR SETTING ASIDE THE EXPARTE AWARD.

EXHIBIT P3. RUE COPY OF THE APPLICATION I.A.8175/14 IN O.P.(M.V.)
270/2007 FILED FOR CONDONING THE DELAY.

EXHIBIT P4. TRUE COPY OF THE COPY OF THE DEMAND NOTICE DATED
30.09.2014.

RESPONDENT(S)' EXHIBITS

P. BHAVADASAN, J.

O.P.(MAC). No. 22 of 2015

Dated this the 16th day of September, 2015.

JUDGMENT

The grievance in this petition is that pending consideration of the delay condonation petition filed by the petitioner to set aside the ex-parte order passed against him in O.P.(MV) 270 of 2007, revenue recovery proceedings have been initiated against him for the recovery of the amount awarded by the Tribunal.

2. In pursuance to the interim order passed by this Court, the petitioner has paid Rs.50,000/-. The prayer in this petition is a limited one. All that the petitioner wants is that the revenue recovery proceedings may be kept pending till the delay condonation petition and the petition to set aside the ex-parte order are considered on merits and disposed of. The request seems to be just and reasonable.

This Petition is disposed of directing that revenue recovery proceedings shall be kept in abeyance till the petition to condone the delay and also the petition to set aside the ex-parte order are disposed of by the Tribunal concerned. The Tribunal shall dispose of those petitions within three months from the date of receipt of a copy of this judgment.

Send a copy of this judgment to the Tribunal concerned.

sb.

P. BHAVADASAN,
JUDGE