

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

RP.No. 839 of 2015 ()

AGAINST THE JUDGMENT IN OP(C).NO.1490/2015 DATED 21-08-2015

REVIEW PETITIONER/RESPONDENT :

ABU NAVAS
S/O.MEERASAHIB,
THEKKEPPURATHU HOUSE,
CHITTOOR MURI
PATHANAMTHITTA VILLAGE,
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.JACOB P. ALEX
SRI.JOSEPH P. ALEX

RESPONDENT/PETITIONER :

ISMAIL PILLAI
S/O.HASSAN BAVA,
MANIYAMKURICHI PURAYIDATHIL HOUSE
KUMBAZHA MURI, PATHANAMTHITTA VILLAGE
PATHANAMTHITTA DISTRICT
REPRESENTED BY POWER OF ATTORNEY
SHAMNAD A., S/O.AZEEZ
MANIYAMKURICHI PURAYIDATHIL, KUMBAZHA
PATHANAMTHITTA-689 645.

BY ADV. SRI.SANJAY THAMPI

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 01-10-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

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APPENDIX

PETITIONERS' ANNEXURES :

- ANNEXURE 1 : COPY OF THE PLAINT IN OS NO. 53 OF 2012 BEFORE THE MUNSIFF'S COURT, PATHANAMTHITTA.**
- ANNEXURE 2 COPY OF THE ALLEGED WILL DEED DATED 10-3-2008.**
- ANNEXURE 3 COPY OF THE WRITTEN STATEMENT IN OS NO. 53 OF 2012 BEFORE THE MUNSIFF'S COURT, PATHANAMTHITTA.**
- ANNEXURE 4 COPY OF THE JUDGMENT DATED 10-10-2014 IN OS NO. 53 OF 2012 OF THE MUNSIFF'S COURT, PATHANAMTHITTA.**
- ANNEXURE 5 COPY OF THE JUDGMENT DATED 28-3-2015 IN AS NO. 144/2014 OF THE DISTRICT COURT, PATHANAMTHITTA.**
- ANNEXURE 6 COPY OF THE ORDER DATED 29-7-2015 IN IA NO. 1850 OF 2015 IN RSA NO. 801/2015.**
- ANNEXURE 7 COPY OF THE PLAINT IN OS NO. 161/2015 BEFORE THE MUNSIFF'S COURT, PATHANAMTHITTA.**
- ANNEXURE 8 COPY OF THE WRITTEN STATEMENT IN OS NO. 161/2015 BEFORE THE MUNSIFF'S COURT, PATHANAMTHITTA.**
- ANNEXURE 9 COPY OF IA NO. 1825 OF 2015 IN OS NO. 161 OF 2015.**
- ANNEXURE 10 COPY OF THE OBJECTION FILED IN IA NO. 1825/2015 IN OS NO. 161/2015.**

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

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B. KEMAL PASHA, J.

.....
R.P. No.839 of 2015
in
O.P.(C) No.1490 of 2015
.....

Dated this the 1st day of October, 2015

ORDER

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Through judgment dated 21.08.2015, this Court had given a direction to the court below, after hearing the the learned counsel for the petitioner in O.P.(C) No.1490/2015 and on a perusal of the letter from the learned Munsiff, Pathanamthitta, to dispose of the matter, as expeditiously as possible, at any rate, within a period of eight months from the date of receipt of that judgment. The review petitioner, who is the defendant in the suit, has pointed out that the defendant has filed IA No.1825/2015 under Section 10 CPC in the suit before the court below. It

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is made clear that the direction in the judgment dated 21.08.2015 of this Court is subject to the result of the said IA and the same will not stand in the way of the disposal of the said IA on merits.

R.P. is disposed of as above.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/01/10

// True Copy //

PA to Judge