

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937

RP.No.1126 of 2015 () IN Mat.Appeal.691/2015

REVIEW PETITIONER(S)/REVIEW PETITIONER/PETITIONERS/APELLANTS:

1. SHAMSUDEEN .H, AGED 48 YEARS,
S/O.HANEEFA, VADAKKEDATH PALLIYALIL HOUSE, MANNUR,
PATHIRIPPALA, PALAKKAD DISTRICT.

2. HANEEFA, AGED 67 YEARS,
VADAKKEDATH PALLIYALIL HOUSE, MANNUR, PATHIRIPPALA,
PALAKKAD DISTRICT.

BY ADV. SMT.K.M.RASHMI (PARAVOOR)

RESPONDENT(S)/RESPONDENT/RESPONDENT:

MUMTHAZ M. M, AGED 37 YEARS,
D/O.SHAHUL HAMEED, SHEENAS MANZIL, APPOLO ROAD,
THAMMANAM, KOCHI-32.

BY SRI.M.A.ABDUL HAKHIM

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 30-11-2015, ALONG WITH MA. 691/2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

SS

**C.K. ABDUL REHIM, J.
&
K. RAMAKRISHNAN, J.**

Review Petition No.1126 of 2015 in
I.A.No.3849/2015 in Mat. Appeal No.691/2015

Dated this the 30th day of November, 2015

ORDER

C.K. Abdul Rehim, J.

This review petition is instituted against the order passed by this court in I.A.No.3849/2015 in I.A.No.2582/2015 in Mat. Appeal No.691/2015.

2. This court had passed an interim order in the Mat.Appeal on 27.07.2015, granting stay against execution of the decree impugned, subject to condition of the appellants furnishing security for the decreed amount and for the ornaments directed to be returned, within a period of two months. Subsequently by virtue of an order passed in I.A.No.3436/2015, the periods stipulated for furnishing the security was extended till 31.10.2015. Thereafter the petitioners/ appellants again filed I.A.No.3849/2015 seeking for further extension. It was brought to notice of this court that a Special Leave petition filed before the Hon'ble

Supreme Court challenging the interim order passed by this court was dismissed by that time. Noticing that, even the time for which extension was sought for in I.A.No.3849/2015 stands expired, the said application was rejected.

3. In this review petition it is mentioned that the stipulations contained in the interim order with respect to furnishing security has already been complied with, on 16.11.2015. Therefore the petitioners are seeking for a review of the order and to condone the delay occurred in furnishing the security.

4. Heard; counsel appearing for the respondent.

5. It is conceded that the condition stipulated in the interim order now stands complied with, and the appellants have already furnished security. Therefore we are inclined to review the order and to condone the delay occurred in compliance of the condition stipulated.

Hence the above Review Petition is hereby allowed. The impugned order is recalled and I.A.No. 3849/2015 is allowed to the extend of condoning the delay occurred in furnishing the security, till 16.11.2015.

Sd/-
C.K. ABDUL REHIM, JUDGE

Sd/-
K. RAMAKRISHNAN, JUDGE

//True Copy//

P.A. to Judge