



2025:KER:28984

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

EX.FA NO. 23 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 116/2021 IN EP
NO.40 OF 2021 IN OS NO.716/2017 OF MUNSIFF COURT, NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012 HAVING
CORPORATE OFFICE AT KODIYATT CHAMBERS, RAJAJI ROAD,
ERNAKULAM, REP BY ITS DIRECTOR, K.M.IBRAHIMKUTTY
MATHER, S/O LATE K.C.M.MATHER, AGED 81 YEARS, MATHER
ESTATE, THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY

RESPONDENTS/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 RAMASWAMY
S/O RAMAKRISHNA IYER MANDOPILLY MADATHIL, MARADI
VILLAGE, MUVATTPUZHA TALUK ERNAKULAM, PIN - 686673
- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR VILLAGE,
PARAVOORTALUK REP.BY ITS PRESENT MANAGING DIRECTOR,
PIN - 683110



-: 2 :-

BY ADV LATHA ANAND

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.2/2023,
3/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



-: 3 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 2 OF 2023

AGAINST THE ORDER DATED 09.03.2022 IN EA 121/2021
IN EP NO.44 OF 2021 IN OS NO.32/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI-682 021

BY ADV PRAVEEN K. JOY



-: 4 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 DELSON LONAPPAN
S/O M V LONAPPAN MAVELI HOUSE, THURAVOOR P O,
THURAVOOR VILLAGE ALUVA TALUK, ERNAKULAM-
PIN - 683572

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 5 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 3 OF 2023

AGAINST THE ORDER DATED 09.03.2022 IN EA 112/2021
IN EP NO.46 OF 2021 IN OS NO.803/2017 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI-682 021., PIN -
682021

BY ADV PRAVEEN K. JOY



-: 6 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 JIYO FRANCIS
 S/O FRANCIS, KUTHULATTUKARAN HOUSE,
 KARUPPADAMKARA, INCHAMUDI VILLAGE, THRISSUR
 TALUK, THRISSUR-680564

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
 EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
 VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
 PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 7 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 5 OF 2023

AGAINST THE ORDER DATED 09.03.2022 IN EA 120/2021
IN EP NO.45 OF 2021 IN OS NO.753/2017 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI-682 021., PIN -
682021

BY ADV PRAVEEN K. JOY



-: 8 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 RANJITH MATHEW PAUL
S/O P V PAULOSE, RAYAMANGALAM PANCHAYATH,
KEEZHILLAM P O, KUNNATHUNADU TALUK, ERNAKULAM-
682021, PIN - 682021
- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 9 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 24 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 146/2021
IN EP NO.147 OF 2019 IN OS NO.740/2017 OF MUNSIFF'S
COURT, NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021



-: 10 :-

BY ADVS.
PRAVEEN K. JOY
T.A.JOY
E.S.SANEEJ
M.P.UNNIKRISHNAN
M.K.SAMYUKTHA
N.ABHILASH
DEEPU RAJAGOPAL
SANDRA S.KUMAR

RESPONDENTS/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 ARUN KUMAR
AGED 49 YEARS
S/O PURUSHOTHAMAN PILLAI FLAT NO.701, NATIONAL
REGENT COURT, POONITHURA VILLAGE, ENAKULAM,
PIN - 682025
- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOORTALUK REP.BY ITS PRESENT
MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
HEARING ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 11 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 25 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 148/2021
IN EP NO.148 OF 2019 IN OS NO.4/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 12 :-

RESPONDENTS/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 SANTHOSH KUMAR
 AGED 65 YEARS
 S/O NARAYANAN OCHALATH HOUSE, EROOR DESOM,
 THRIPUNITHURA, ERNAKULAM, PIN - 682306

- 2 EDAYAR ZINC LTD (OLD NAME BINANI ZINC LTD)
 EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
 VILLAGE, PARAVOORTALUK REP.BY ITS PRESENT
 MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 13 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 27 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 149/2021
IN EP NO.149 OF 2019 IN OS NO.811/2017 OF MUNSIFF
COURT, NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 14 :-

RESPONDENTS/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 VARGHESE K JACOB
AGED 63 YEARS
S/O K V JACOB LUISE GARDEN, HALLIVALAPIL,
NJALOKAM KARA, THRIKKAKARA NORTH ENAKULAM,
PIN - 683104
- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOORTALUK REP.BY ITS PRESENT
MANAGING DIRECTOR, PIN - 683110

BY ADVS.
N.K.SUBRAMANIAN
LATHA ANAND
B.A.EASWAR PRASAD(K/000564/2015)
ABRAHAM MATHAN(K/596/2017)
ATHUL TOM(K/1424/2018)
SUBRAM N.S.(K/000649/2022)
S.VISHNU (ARIKKATTIL) (K/986/2012)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 15 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 28 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 150/2021
IN EP NO.150 OF 2019 IN OS NO.805/2017 OF MUNSIF
COURT, NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 16 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 K J MATHEW
AGED 59 YEARS
S/O JOSEPH MATHEW KOOTTUNGAL HOUSE, ERNAKULAM
KARA, AYYAPPANKAV P O, ERNAKULAM VILLAGE
KANAYANNUR TALUK ERNAKULAM, PIN - 682018

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK REP.BY ITS PRESENT
MANAGING DIRECTOR, PIN - 683110

BY ADVS.
N.K.SUBRAMANIAN
LATHA ANAND
S.VISHNU (ARIKKATTIL) (K/986/2012)
B.A.EASWAR PRASAD(K/000564/2015)
ABRAHAM MATHAN(K/596/2017)
SUBRAM N.S. (K/000649/2022)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 17 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 29 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 151/2021
IN EP NO.162 OF 2019 IN OS NO.35/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 18 :-

RESPONDENTS/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 C P THOMAS
AGED 53 YEARS
S/O C T PHILIP, A-1, MID HAVEN APARTMENT, RAIL
ROAD, ALUVA P O, ALUVA WEST VILLAGE ALUVA
TALUK, ERNAKULAM, PIN - 683201
- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOORTALUK REP.BY ITS PRESENT
MANAGING DIRECTOR, PIN - 683110

BY ADVS.
N.K.SUBRAMANIAN
LATHA ANAND
B.A.EASWAR PRASAD(K/000564/2015)
ABRAHAM MATHAN(K/596/2017)
ATHUL TOM(K/1424/2018)
SUBRAM N.S.(K/000649/2022)
S.VISHNU (ARIKKATTIL) (K/986/2012)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 19 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 30 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 110/2021
IN EP NO.39 OF 2021 IN OS NO.804/2017 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 20 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 SURESH KUMAR T N
S/O CHATHUKUTTY NAMBIAR, PRATHIBHA APARTMENTS,
U C COLLEGE P O, KADUNGALLUR VILLAGE PARAVUR
TALUK, ERNAKULAM, PIN - 683102

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

BY ADVS.
N.K.SUBRAMANIAN
B.A.EASWAR PRASAD(K/000564/2015)
ABRAHAM MATHAN(K/596/2017)
ATHUL TOM(K/1424/2018)
SUBRAM N.S.(K/000649/2022)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 21 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 31 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 111/2021
IN EP NO.43 OF 2021 IN OS NO.801/2017 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 22 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 BALACHANDRAN,
S/O NARAYANA PILLAI, THOTTAVALLY, SREERAGAM
HOME THRIKKAKARA P O, VAZHAKKALA VILLAGE
KANAYANNUR TALUK, ERNAKULAM, PIN - 682021
- 2 EDAYAR ZINC LTD (OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 23 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 32 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 119/2021
IN EP NO.37 OF 2021 IN OS NO.134/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 24 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 UMA SHANKAR
 S/O PANKAJAKSHAN PILLAI, VALKKARY HOUSE,
 THIRUVALLOOR KARA, ALANGAD P O, ERNAKULAM,
 PIN - 683511

- 2 EDAYAR ZINC LTD (OLD NAME BINANI ZINC LTD)
 EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
 VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
 PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 25 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 33 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 118/2021
IN EP NO.42 OF 2021 IN OS NO.312/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 26 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 AJAYAKUMAR
S/O SREEKUMAR MENON, FLAT.NO133, CRASH ROAD
THRIKKAKARA P O, VAZHAKKALA VILLAGE KANAYANNUR
TALUK, ERNAKULAM, PIN - 682021

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK REP.BY ITS PRESENT
MANAGING DIRECTOR, PIN - 683110

BY ADVS.
LATHA ANAND
S.VISHNU (ARIKKATTIL) (K/986/2012)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 27 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 34 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 115/2021
IN EP NO.38 OF 2021 IN OS NO.335/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 28 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 BALAGOPAL
S/O NATARAJAN, VOLIYATH HOUSE, SOUTH
ADUVASSERY, KUNNUKARA VILLAGE, PARAVUR TALUK
ERNAKULAM, PIN - 683576

- 2 EDAYAR ZINC LTD (OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

BY ADVS.
N.K.SUBRAMANIAN
LATHA ANAND
B.A.EASWAR PRASAD(K/000564/2015)
ABRAHAM MATHAN(K/596/2017)
ATHUL TOM(K/1424/2018)
SUBRAM N.S.(K/000649/2022)

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 29 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 38 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 117/2021
IN EP NO.41 OF 2021 IN OS NO.57/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 30 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 SUSAN ABRAHAM
W/O LATE BEJI VARGHESE, TCC MAIN COLONY, C21
ELOOR VILLAGE, PARAVUR TALUK, UDYOG MANDAL P.O
ERNAKULAM, PIN - 683501
- 2 DEEPTHA SUSAN BEJI
D/O LATE BEJI VARGHESE, TCC MAIN COLONY, C21
ELOOR VILLAGE, PARAVUR TALUK, UDYOG MANDAL P.O
ERNAKULAM-683501 REP. BY MOTHER SUSAN ABRAHAM,
PIN - 683501
- 3 DRISHYA RACHEL BEJI
D/O LATE BEJI VARGHESE, TCC MAIN COLONY, C21
ELOOR VILLAGE, PARAVUR TALUK, UDYOG MANDAL P.O
ERNAKULAM-683501 REP. BY MOTHER SUSAN ABRAHAM,
PIN - 682501
- 4 DEEPIKA MARIAM BEJI
D/O LATE BEJI VARGHESE, TCC MAIN COLONY, C21
ELOOR VILLAGE, PARAVUR TALUK, UDYOG MANDAL P.O
ERNAKULAM-683501 REP. BY MOTHER SUSAN ABRAHAM,
PIN - 682501
- 5 EDAYAR ZINC LTD (OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOORTALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 31 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 39 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 122/2021
IN EP NO.48 OF 2021 IN OS NO.25/2018 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD,
REGISTERED OFFICE AT I/105, MOTHI MANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI, PIN - 682021

BY ADV PRAVEEN K. JOY



-: 32 :-

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 JOHN T JOHN
S/O THAMBI JOHN PRIYAM HOUSE, U C COLLEGE.P.O,
KADUNGALLUR VILLAGE, PARAVUR TALUK, ERNAKULAM,
PIN - 683102

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
VILLAGE, PARAVOOR TALUK-683110 REP.BY ITS
PRESENT MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



-: 33 :-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA,

1947

EX.FA NO. 40 OF 2022

AGAINST THE ORDER DATED 09.03.2022 IN EA 113/2021
IN EP NO.47 OF 2021 IN OS NO.802/2017 OF MUNSIF COURT,
NORTH PARAVUR

APPELLANT/CLAIM PETITIONER:

M/S RHEA REALTY PVT.LTD
REGISTERED OFFICE AT I/105, MOTHIMANZIL,
PARMARGURUJIMARG, PAREL EAST, MUMBAI-400012
HAVING CORPORATE OFFICE AT KODIYATT CHAMBERS,
RAJAJI ROAD, ERNAKULAM, REP BY ITS DIRECTOR,
K.M.IBRAHIMKUTTY MATHER, S/O LATE
K.C.M.MATHER, AGED 81 YEARS, MATHER ESTATE,
THEVAKKAL, B.M.C. POST, KOCHI-682 021., PIN -
682021



-: 34 :-

BY ADVS.
PRAVEEN K. JOY
T.A.JOY
E.S.SANEEJ
M.P.UNNIKRISHNAN
M.K.SAMYUKTHA
N.ABHILASH
DEEPU RAJAGOPAL
SANDRA S.KUMAR
RANIYAL NIYADA P.

RESPONDENT/DECREE HOLDER AND JUDGMENT DEBTOR:

- 1 SANTHOSH
 S/O NEELAKANDAN NAMBOOTHIRI, A1 NANDHANAM
 APARTMENTS, AYYANKALI ROAD, POONITHURA
 VILLAGE, KANAYANNUR TALUK, ERNAKULAM,
 PIN - 682038

- 2 EDAYAR ZINC LTD(OLD NAME BINANI ZINC LTD)
 EDAYAR KARA, MUPPATHADAM P.O KADUNGALLUR
 VILLAGE, PARAVOOR TALUK REP.BY ITS PRESENT
 MANAGING DIRECTOR, PIN - 683110

THIS EXECUTION FIRST APPEAL HAVING COME UP FOR
ADMISSION ON 03.04.2025, ALONG WITH Ex.FA.23/2022 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



2025:KER:28984

Sathish Ninan & Shoba Annamma Eapen, JJ.

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**Ex.FA.Nos.23, 24, 25, 27, 28, 29, 30, 31,
32, 33, 34, 38, 39 and 40 of 2022**

&

Ex.FA.Nos.2, 3 and 5 of 2023

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Dated this the 3rd day of April, 2025

JUDGMENT

Sathish Ninan, J.

The learned counsel on either side submit that pending the appeal, an ex-parte decree has been set aside and a fresh decree has been passed after trial on 21.03.2025.

Hence these appeals are dismissed as infructuous without prejudice to the rights to challenge the decree.

**Sd/-
Sathish Ninan, Judge**

**Sd/-
Shoba Annamma Eapen, Judge**