

**Asharaf vs Haneefa**

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**SooperKanoon Citation :** [sooperkanoon.com/1294365](https://sooperkanoon.com/1294365)

**Court :** Kerala Orders

**Decided On :** Mar-19-2024

**Judge :** Honourable Mr.Justice C. Jayachandran

**Appeal No. :** OP(C)/1144/2020

**Appellant :** Asharaf

**Respondent :** Haneefa

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN  
TUESDAY, THE 19TH DAY OF MARCH 2024 / 29TH PHALGUNA, 1945  
OP(C) NO. 1144 OF 2020 AGAINST THE ORDER DATED 19.03.2020  
IN CMA NO.15 OF 2018 OF ASSISTANT SESSIONS  
COURT/PRINCIPAL SUB COURT / COMMERCIAL  
COURT,IRINJALAKUDA ARISING OUT OF THE ORDER/JUDGMENT  
DATED IN OS NO.1315 OF 2017 OF MUNSIF COURT,  
KODUNGALLUR PETITIONER/S: ASHARAF AGED 51 YEARS  
S/O.VALIYAKATH MUHAMMED, KAIPPAMANGALAM VILLAGE,  
KODUNGALLOOR TALUK-680 681. BY ADV denizen komath  
RESPONDENT/S: HANEEFA AGED 67 YEARS S/O.MATHILAKATH

VEETIL KUNJUMHAMMED, PERINJANAM VILLAGE,  
KODUNGALLOOR TALUK-680 686. BY ADV SRI.G.SREEKUMAR  
(CHELUR) THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON  
19.03.2024, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

## **JUDGMENT**

Dated, this the 19th day of March 2024 Learned counsel for the petitioner would submit that, this original petition is not pressed. However, he would seek a direction to dispose of the suit expeditiously. Learned counsel would also submit that the suit has already been scheduled for trial. In the circumstances, this Original Petition will stand disposed of, as not pressed. However, there will be a direction to the learned Munsiff, Kodungallur to try and dispose of O.S.No.1315/2017 expeditiously, at any rate within a period of six months from the date of receipt of a copy of this

### **judgment.**

Sd/- C.JAYACHANDRAN, JUDGE SSG APPENDIX OF OP(C) 1144/2020  
PETITIONERS EXHIBITS EXHIBIT P1 TRUE COPY OF THE LEASE  
AGREEMENT DATED 09.04.2012. EXHIBIT P2 TRUE COPY OF THE PLAINT IN  
OS NO.1315 OF EXHIBIT P3 TRUE COPY OF THE IA NO.1912/ OF 2017 IN OS  
NO.1315 OF 2017 ON THE FILE OF THE EXHIBIT P4 TRUE COPY OF THE  
COMMISSION REPORT DATED 10.10.2017 IN OS NO.1315 OF 2017 ON THE  
EXHIBIT P5 TRUE COPY OF THE OBJECTION IN IA NO.1912 OF 2017 IN OS  
NO.1315 OF 2017 ON THE EXHIBIT P6 TRUE COPY OF THE IA NO.1992 OF  
2017 IN OS NO.1315 OF 2017 ON THE FILE OF THE EXHIBIT P7 TRUE COPY  
OF OBJECTION DATED 31.10.2017 IN IA NO.1992 OF 2017 IN OS NO.1315 OF  
EXHIBIT P8 TRUE COPY OF THE COMMON ORDER DATED

05.01.2018 IN IA NO.1912/2017 AND IA NO.1992/2017 IN OS NO.1315/2017 OF  
MUNSIFFS COURT, KODUNGALLUR.

EXHIBIT P9 TRUE COPY OF THE RCP NO.30 OF 2019 ON

RCP NO.30 OF 2019 ON THE FILE OF RENT CONTROL COURT, KODUNGALLUR. EXHIBIT P11 TRUE COPY OF THE COMMON JUDGMENT DATED 19.03.2020 IN CMA NO.15 OF 2018 OF SUB COURT, IRINJALAKKUDA.

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