

Don Paul vs Tisa Don

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SooperKanoon Citation : sooperkanoon.com/1392824

Court : Kerala

Decided On : Oct-12-2023

Judge : Honourable Mr. Justice Amit Rawal, Honourable Mrs. Justice C.S. Sudha

Appeal No. : RP/999/2023

Appellant : Don Paul

Respondent : Tisa Don

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE AMIT RAWAL & THE HONOURABLE MRS. JUSTICE C.S. SUDHA THURSDAY, THE 12TH DAY OF OCTOBER 2023 / 20TH ASWINA, 1945 AGAINST THE ORDER/JUDGMENT MA (EXE.) 7/2023 OF HIGH COURT OF KERALA

REVIEW PETITIONER/APPELLANT: DON PAUL AGED 40 YEARS S/O. PAUL PAUL, THENGUMPALLY HOUSE, MANJOOR P.O. KOTHANALLOOR VILLAGE, KOTTAYAM, PIN - 686603 M.A.SULFIA ABDUL JALEEL.A THUSHARA C PULICKEL
RESPONDENT/RESPONDENT: TISA DON AGED 35 YEARS D/O. GEORGE KUIAKOSE, PALACKAL HOUSE, BUS STAND ROAD, VAIKOM P.O. KOTTAYAM DISTRICT, PIN - 686141 ABRAHAM

P.GEORGE M.SANTHY(K/001410/1999) JOHNY THOMAS(K/603/2006)
M.B.RATHEESH(K/000095/2017) JOSE K.V.(K/325/2022) AKASH
PHILIP(K/1212/2023) ELSA JACOB(K/1507/2023) THIS REVIEW
PETITION HAVING COME UP FOR ADMISSION ON 12.10.2023, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING: AMIT
RAWAL & C.S.SUDHA, JJ. -----
R.P.No.999 of 2023 ----- Dated this
the 12th day of October, 2023

ORDER

Amit Rawal, J.

1. We had on 07.09.2023 disposed of the Matrimonial

Execution Appeal on the premise that the dispute was with regard to the execution of the order pertaining to granting the custody of the child. However, while giving liberty to parties to seek appropriate remedy either way of execution, this Court remained oblivious of the order 31.05.2023 whereby while granting the custody of the child to the judgment debtor, Execution Petition was disposed of. It is the reason for filing the review petition. We are of the view that it is a fit case where

**order passed by this Court granting liberty to the appellant to
take appropriate measures for implementation of the order**

requires to be recalled.

2. Issue notice to respondent.

3. Learned counsel submits that there is a mistake. In

this view of the matter, the order dated 07.09.2023 is recalled. Review petition stands disposed of. Matrimonial Execution Application No.7/2023 restored to its original number. AMIT RAWAL C.S.SUDHA nak APPENDIX OF RP 999/2023 RESPONDENT ANNEXURES ANNEXURE R1 THE TRUE PHOTOCOPY OF

ORIGINAL PETITION NO. 1353/2023 FILED BY THE RESPONDENT BEFORE
THE HON'BLE FAMILY COURT AT ETTUMANOOR

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