

Sajitha vs Sajeed

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Court : Kerala

Decided On : Feb-28-2023

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : OP(C)/2311/2022

Appellant : Sajitha

Respondent : Sajeed

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS TUESDAY, THE 28TH DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944 OP(C) NO. 2311 OF 2022 OS 183/2020 OF THE MUNSIF COURT , KOLLAM PETITIONER/DEFENDANT: SAJITHA AGED 47 YEARS W/O LATE SHAIENDRAN @ GOPALAKRISHNAN, CHERUKARAZHIKOM, KOTTAPPURAM CHERRY, KOTTAPPURAM VILLAGE,PARAVUR MUNICIPALITY, PARAVUR P.O, KOLLAM-691301 NOW RESIDING AT KAILASAM, KURUMANDAL, PARAVUR, KOLLAM, PIN - 691301 BY ADV M.R.SASITH RESPONDENT/PLAINTIFF/DEFENDANT NO.2: 1 SAJEED AGED 53 YEARS S/O MAJEED, KULATHARAZHIKOM, THEKKUMBHAGOM, KOTTAPPURAM VILLAGE, PARAVUR MUNICIPALITY, PARAVUR P.O, KOLLAM, PIN - 691301 2 SHAJI

AGED 42 YEARS S/O CHELLAPPAN, CHELLAM WATCH WORKS,
KOTTAPPURAM VILLAGE, PARAVUR MUNICIPALITY, PARAVUR P.O,
KOLLAM, PIN - 691301

OTHER PRESENT: GOVERNMENT PLEADER SMT. SYLAJA S.L. THIS OP
(CIVIL) HAVING COME UP FOR ADMISSION ON 28.02.2023, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: OP(C) NO. 2311 OF 2022 2
Dated this the 28th day of February, 2023

JUDGMENT

The original petition is filed to direct the Court of Munsiff, South Paravoor, to consider and dispose of O.S. No.183/2020 within a reasonable time period.

2. Pursuant to the order dated 28.11.2022 passed by this Court, the learned Munsiff, South Paravoor, by communication dated 01.12.2022, has informed this Court that the suit stands posted to 20.12.2022 for framing issues. The court below requires nine months time to dispose of the suit after giving an opportunity to both sides to take pre-trial steps.

3. Heard; Sri.Sasith M.R., the learned counsel appearing for the petitioner. Even though notice has been served on the learned counsel appearing for the respondents before the court below, there is no appearance for them.

4. In the light of the pleadings and materials on record and after perusing the communication of the

OP(C) NO. 2311 OF 2022 3 learned Munsiff, in exercise of the supervisory powers of this Court under Article 227 of the Constitution of India, I direct the Court of the Munsiff, South Paravoor, to consider and dispose of O.S. No.183/2020, in accordance with law, as expeditiously as possible, at any rate, within a period of four months after the completion of the pre- trial steps.

The original petition is ordered accordingly. Sd/- C.S.DIAS, JUDGE
rmm28/02/2023 OP(C) NO. 2311 OF 2022 4 APPENDIX OF OP(C) 2311/2022
PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE O.S NO: 183/2020 ON

THE FILES OF THE HONBLE MUNSIFF MAGISTRATE COURT, PARAVUR,
KOLLAM FILED BY THE 1ST RESPONDENT HEREIN

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