

Bijukumar vs Krishnakumar

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SooperKanoon Citation : sooperkanoon.com/1403709

Court : Kerala

Decided On : May-31-2023

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : OP(C)/2352/2022

Appellant : Bijukumar

Respondent : Krishnakumar

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
OP(C) NO. 2352 OF 2022 (AGAINST THE ORDER DATED 10.10.2022
IN EP.No.1 OF 2020 IN OS.No.64 OF 2016 ON THE FILE OF THE
SUBORDINATE JUDGE'S COURT, PUNALUR)
PETITIONER/JUDGMENT DEBTOR: BIJUKUMAR AGED 49 YEARS
S/o.UNNIKRISHNA PILLAI PARASERIL PUTHEN VEEDU,
NADUTHERI, THALAVOOR VILLAGE, PATHANAPURAM TALUK,
KOLLAM DISTRICT, PIN - 691508 BY ADV ANESH PAUL
RESPONDENT/DECREE HOLDER: KRISHNAKUMAR AGED 40
YEARS S/o.RAMAKRISHNA KURUP, VAZHUVELIL VADAKETHIL

VEEDU, MALAMENKARA, PALLIKKAL PANCHAYATH,
PERINGANADU VILLAGE, ADOOR TALUK, PATHANAMTHITTA
DISTRICT, PIN - 691551

BY ADVS. BABY THOMAS K.ANIL JOSEPH GEORGE T.J MARIAMMA
J INDRAJITH S KAIMAL ALICIA JOSE THIS OP (CIVIL) HAVING COME
UP FOR ADMISSION ON 31.05.2023, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING: OP(C) NO. 2352 OF 2022 2

JUDGMENT

It is at the stage of publication of proclamation for the sale of immovable property in a suit for recovery of money, the judgment debtor came up. When the matter came up for hearing, the learned counsel for the petitioner fairly submitted that he is seeking permission to pay the amount due in installments. But the attempt to settle the matter in mediation has utterly failed. No other points were brought to the notice of this Court for exercising the extraordinary jurisdiction under Article 227 of the Constitution. Hence the petition fails and this O.P(C) will stand dismissed. Sd/- P.SOMARAJAN JUDGE LEK OP(C) NO. 2352 OF 2022 3
APPENDIX OF OP(C) 2352/2022 PETITIONER EXHIBITS Exhibit P1 A TRUE COPY OF THE DECREE DATED 07.01.2017 IN O.S. NO. 64 OF 2016 ON THE FILE OF THE SUBORDINATE JUDGE'S COURT, PUNALUR Exhibit P2 A TRUE COPY OF E.P. NO. 1 OF 2020 IN O.S NO. 64 OF 2016 ON THE FILE OF THE SUBORDINATE JUDGE'S COURT, PUNALUR Exhibit P3 A TRUE COPY OF THE OBJECTION DATED 23.11.2020 IN E.P. NO. 1 OF 2022 BEFORE Exhibit P4 A TRUE COPY OF THE MEDICAL CERTIFICATE Exhibit P5 A TRUE COPY OF THE PRINT-OUT OF THE ONLINE DAILY STATUS OF CASE SHOWING THE

ORDER DATED 10.10.2022 IN E.P NO. 1 OF

2020 IN O.S NO. 64 OF 2016 ON THE FILE OF Exhibit P6 A TRUE COPY OF THE ADVERTISEMENT OF AUCTION SALE