

Lali Bhaskaran vs Thomas

Lali Bhaskaran vs Thomas

SooperKanoon Citation : sooperkanoon.com/1445337

Court : Kerala

Decided On : Oct-17-2022

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : OP(C)/204/2020

Appellant : Lali Bhaskaran

Respondent : Thomas

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS MONDAY, THE 17TH DAY OF OCTOBER 2022 / 25TH ASWINA, 1944 OP(C) NO. 204 OF 2020 OS 445/2005 OF MUNSIF COURT, VAIKOM PETITIONER: LALI BHASKARAN AGED 46 YEARS S/O. LATE RUGMINI, RESIDING AT ULLADATHARAYIL HOUSE, BY ADVS. M.S.UNNIKRISHNAN SRI.V.S.SREEJITH SRI.K.SUNIL SMT.M.ARDRA KRISHNAN SMT.ALEENA MARIA JOSE SMT.SUSAN JACOB (S-3481) SHRI.ANEESH K.R SHRI.BEN RAJ K.R. RESPONDENTS: 1 THOMAS AGED 61 YEARS 2 MICHEL, AGED 56 YEARS 3 LONAPPAN, AGED 50 YEARS KUDAVECHOO KARA, AMBIKA MARKET P.O, VAIKOM TALUK, KOTTAYAM DISTRICT, PIN- 686 144 4 JOSE, AGED 47 YEARS OP(C) NO.204 OF 2020 2 KUDAVECHOO KARA, AMBIKA

MARKET P.O, VAIKOM TALUK, 5 SUNIL BHASKARAN, AGED 40 YEARS ULLADATHARAYIL HOUSE, KUDAVECHOO KARA, AMBIKA MARKET P.O, VAIKOM TALUK, KOTTAYAM DISTRICT, PIN-

BY ADVS. SRI.K.N.ABHILASH SRI.SUNIL NAIR PALAKKAT THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 17.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: OP(C) NO.204 OF 2020 3 Dated this the 17th day of October, 2022

JUDGMENT

The original petition is filed to direct the Court of the Munsiff, Vaikom, to consider and dispose of E.A. No.1/2020 and E.A. No.3/2020 in E.P.No.11/2016 within a time frame.

2. Heard; Sri.M.S. Unnikrishnan, the learned counsel

appearing for the petitioner and Sri. K.N.Abhilash, the learned counsel appearing for the respondents 2 to 4. In view of the limited relief that I propose to pass, I dispense with the appearance of respondents 1 and 5. In the light of the pleadings and materials on record and after hearing the respective counsel appearing for the parties, I direct the Court of the Munsiff, Vaikom to consider and dispose of I.A. No1/2020 and 3/2020 in E.P. No.11/2016 in accordance with law, as expeditiously as possible, at any rate, within a period of one month from OP(C) NO.204 OF 2020 4 the date of receipt of a certified copy of the judgment. The original petition is ordered accordingly. SD/- C.S.DIAS, JUDGE rmm17/10/2022 OP(C) NO.204 OF 2020 5 APPENDIX OF OP(C) 204/2020 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE DECREE DATED 19TH NOVEMBER, 2008 IN O.S. NO. 445 OF 2005 OF MUNSIFF'S COURT, VAIKOM. EXHIBIT P2 TRUE COPY OF THE SURVEY PLAN PRODUCED ALONG WITH THE COMMISSION REPORT AND LATER MARKED AS EXT. C3(A) EXHIBIT P3 TRUE COPY OF THE JUDGMENT IN O.S. NO. 445 OF 2005 ON THE FILES OF MUNSIFF'S COURT, VAIKOM DATED 19TH NOVEMBER, 2008. EXHIBIT P4 TRUE COPY OF E.P. NO. 11 OF 2016 ON THE FILES OF MUNSIFF'S COURT, VAIKOM. EXHIBIT P5 TRUE OF THE OBJECTION IN E.P. NO. 11 OF 2016 ON THE FILES OF

MUNSIFF'S COURT, VAIKOM. EXHIBIT P6 TRUE COPY OF THE ORDER IN E.P. NO. 11 OF

2016 IN O.S. NO. 445 OF 2005 DATED 29TH DAY OF MAY, 2018 ON THE FILES OF MUNSIFF'S COURT, (EXECUTION), VAIKOM. EXHIBIT P7 TRUE COPY OF THE JUDGMENT IN O.P. CIVIL NO. 1625 OF 2018 DATED 15TH DAY OF OCTOBER, 2019. EXHIBIT P8 TRUE COPY OF THE ORDER IN E.P. NO. 11 OF 2016 IN O.S. NO. 445 OF 2005 DATED 17TH DAY OF DECEMBER, 2019 ON THE FILES OF MUNSIFF'S COURT, (EXECUTION), VAIKOM.

EXHIBIT P9 TRUE COPY OF THE REPORT OF THE ADVOCATE COMMISSIONER IN E.P. NO. 11/2016 IN O.S. NO. 445 OF 2005 DATED NIL. EXHIBIT P10 TRUE COPY OF PETITION FILED AS E.A. NO. 1 OF 2020 IN E.P. NO. 11/2016 IN O.S. NO. 445 OF 2005 EXHIBIT P11 TRUE COPY OF PETITION FILED AS E.A. NO. 2 OP(C) NO.204 OF 2020 6 OF 2020 IN E.P. NO. 11 OF 2016 IN O.S. NO. 445 OF 2005. EXHIBIT P12 TRUE COPY OF PETITION FILED AS E.A. NO. 3 OF 2020 IN E.P. NO. 11 OF 2016 IN O.S. NO. 445 OF 2005. EXHIBIT P13 TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT IN E.A. NO. 1 OF 2020 IN E.P. NO. 11 OF 2016 IN O.S. NO. 445 OF 2005. EXHIBIT P14 TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT IN E.A. NO. 2 OF 2020 IN E.P. NO. 11 OF 2016 IN O.S. NO. 445 OF 2005.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com