

George vs Thomas

George vs Thomas

SooperKanoon Citation : sooperkanoon.com/1622045

Court : Kerala

Decided On : Mar-31-2021

Judge : Honourable Mr.Justice T.V.Anilkumar

Appeal No. : OP(C)/743/2021

Appellant : George

Respondent : Thomas

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE T.V.ANILKUMAR
WEDNESDAY, THE 31ST DAY OF MARCH 2021 / 10TH CHAITHRA,
1943 AGAINST THE ORDER/JUDGMENT IN AS 84/2018 OF
ADDITIONAL DISTRICT COURT - V, KOTTAYAM PETITIONER:

GEORGE AGED 67 YEARS S/O PAPPAN,ERUPPAYIL HOUSE,
KAPPUNTHALA.P.O, PARAMPARAM KARA, MUTTUCHIRA
VILLAGE,VAIKKOM TALUK, KOTTAYAM DISTRICT,PIN CODE-
686613. BY ADV. SRI.GEORGE ZACHARIAH ERUTHICKEL
RESPONDENTS: 1 THOMAS, AGED 65 YEARS,
S/O.THOMMEN,MALAYIL HOUSE, KAPPUNTHALA.P.O,
PARAMPARAM KARA,MUTTUCHIRA VILLAGE, VAIKKOM

TALUK,KOTTAYAM DISTRICT, PIN CODE-686613. 2 JOBIN KURIAKOSE, AGED 36 YEARS S/O.KURIAKOSE.K.M,KAKKATTIL HOUSE, KURUPPANTHARA KARA,MANJOOR VILLAGE,MANJOOR.P.O, VAIKKOM TALUK, KOTTAYAM DISTRICT,PIN CODE-686603. R1 BY ADV. SRI.S.RANJIT (KOTTAYAM) R1 BY ADV. SRI.GOKUL DAS V.V.H. THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 31.03.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Heard the learned counsel for the petitioner. Second respondent entered appearance. First respondent though served, did not appear.

2. This original petition is filed for issue of direction

to the court below for considering Ext.P6 I.A. No.4/2021 filed in A.S.No.84/2018 seeking to admit certain additional documents in evidence. I am not expressing anything on the merits of the claim made by the petitioner in I.A. No.4/2021. It is a matter which the appellate court has to consider in accordance with law. The counsel for the petitioner submits that three months time may be given for producing the additional documents before the court below.

3. In the result, this original petition is disposed of

granting three months time to the petitioner to obtain and produce additional documents in A.S.No.84/2018. The court below is further directed to consider I.A.No.4/2021 after hearing the parties and pass appropriate orders in accordance with law. Sd/- T.V.ANILKUMAR, JUDGE AMV/31/03/2021 APPENDIX PETITIONER'S/S EXHIBITS:

EXHIBIT P1 TRUE COPY OF THE WRITTEN STATEMENT FILED IN O.S.NO.125 OF 2016 ON THE FILE OF THE HONOURABLE MUNSIFF'S COURT,VAIKOM DT.3.8.2016 EXHIBIT P2 TRUE COPY OF THE ORDER DATED 03.04.2018 IN I.A.NO.393 OF 2018 IN HONOURABLE ADDITIONAL DISTRICT COURT,V,KOTTAYAM. EXHIBIT P3 TRUE COPY OF THE REPLY

DATED PETITIONER TO THE TAHSILDAR,VAIKOM,ISSUED FROM THE TALUK OFFICE,VAIKOM.

EXHIBIT P4 TRUE COPY OF THE APPEAL DATED PETITIONER PURSUANT TO EXT.P3, TO THE TAHSILDAR,VAIKOM. EXHIBIT P5 TRUE COPY OF THE LETTER DATED OFFICE,VAIKOM. EXHIBIT P6 TRUE COPY OF IA.NO.4 OF 2021 IN HONOURABLE ADDITIONAL DISTRICT COURT V,KOTTAYAM,ANNEXED WITH THE SUPPORTING AFFIDAVIT. RESPONDENTS EXHIBITS : NIL TRUE COPY P.A.TO JUDGE

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