

Abdurahiman vs Kunhalan

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SooperKanoon Citation : sooperkanoon.com/1858047

Court : Kerala

Decided On : Oct-30-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : OP(C)/327/2019

Appellant : Abdurahiman

Respondent : Kunhalan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR WEDNESDAY, THE 30TH DAY OF OCTOBER 2019 / 8TH KARTHIKA, 1941 AGAINST THE ORDER/JUDGMENT IN CMA 23/2016 DATED 26-11-2018 OF SUB COURT, TIRUR AGAINST THE ORDER/JUDGMENT IN OS 15/2013 OF MUNSIFF COURT, PARAPPANANGADI

PETITIONER/S/RESPONDENTS/RESPONDENTS/DEFENDANTS: 1 ABDURAHIMAN AGED 69 YEARS, S/O.KOZHITHODI MUHAMMEDKUTTY HAJI, 2 ASHRAF AGED 44 YEARS, S/O.ABDURAHIMAN,

3 HAMEEDALI AGED 51 YEARS, S/O.KOZHITHODI MUHAMMEDKUTTY HAJI, THIRURANGADI TALUK, MALAPPURAM DISTRICT. BY ADV. SRI.K.RAKESH RESPONDENT/S/APPELLANTS/PETITIONERS/PLAINTIFFS: 1 KUNHALAN AGED 73 YEARS, S/O.KOZHITHODI MUHAMMEDKUTTY, OLAKARA AMSOM, DESOM, PARAMBIL PEEDIKA P.O., THIRURANGADI TALUK, MALAPPURAM DISTRICT, 2 RASEENA D/O.KUNHALAN, AGED 38 YEARS, THIRURANGADI TALUK, MALAPPURAM DISTRICT, R1-2 BY ADV. SRI.JAMSHEED HAFIZ R1-2 BY ADV. SMT.T.S.SREEKUTTY THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 30.10.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When this matter has been taken up for hearing, the learned Advocates on both sides have submitted that the suit is ripe for trial. In view of the above submission, the Munsiffs Court, Parappanangadi is directed to dispose of O.S.No.15/2013, in accordance with law, as expeditiously as possible and at any rate within six months from the date of receipt/production of a copy of this judgment. Till the disposal of the suit, the interim order granted by this court will continue. In the result, this Original Petition stands disposed of as above. Sd/- B.SUDHEENDRA KUMAR RK/30.10.2019 JUDGE APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE PLAINT IN O.S.NO.15/2013 OF MUNSIFF COURT, EXHIBIT P2 TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONERS IN O.S.NO.15/2013 DATED 11/6/2013. EXHIBIT P3 TRUE COPY OF THE I.A.NO.208/2013 IN O.S.NO.15/2013 OF MUNSIFF, EXHIBIT P4 TRUE COPY OF THE OBJECTION DATED AGAINST EXHIBIT P3. EXHIBIT P5 TRUE COPY OF THE ORDER DATED 25/7/2016 IN I.A.NO.208/2013 IN O.S.NO.15/2013 OF THE MUNSIFF COURT, PARAPPANANGADI. EXHIBIT P6 TRUE COPY OF EXHIBIT C6 DATED 12/8/2015 PRODUCED AND MARKED BEFORE THE MUNSIFF COURT, PARAPPANANGADI IN O.S.NO.15/2013. EXHIBIT P7 TRUE COPY OF THE JUDGMENT IN C.M.A.NO.23/2016 OF THE SUB-ORDINATE JUDGE, TIRUR DATED 26/11/2018. RESPONDENT'S/S

EXHIBITS:NIL //TRUE COPY// PA TO JUDGE RK

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