

**K.P.Babu vs Amina**

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**SooperKanoon Citation :** [sooperkanoon.com/1891794](http://sooperkanoon.com/1891794)

**Court :** Kerala

**Decided On :** Aug-30-2019

**Judge :** Honourable Mr. Justice Sunil Thomas

**Appeal No. :** OP(C)/1972/2018

**Appellant :** K.P.Babu

**Respondent :** AMINA

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE SUNIL THOMAS  
FRIDAY, THE 30TH DAY OF AUGUST 2019 / 8TH BHADRA, 1941  
(IA.NO.973/2012 IN OS 183/2008 OF SUB COURT, OTTAPPALAM)  
PETITIONER/SPLAINTIFF: K.P.BABU, AGED 45 YEARS,  
S/O.KOPPATHPARAMBIL ABOOBACKER, KALLADIPATTA AMSOM,  
ONGALLUR DESOM, OTTAPPALAM, PALAKKAD - 678 001 BY ADVS.  
SRI.T.SETHUMADHAVAN (SR.) SMT.N.DEEPA SRI.K.JAYESH  
MOHANKUMAR SRI.PUSHPARAJAN KODOTH SMT.PREETHI. P.V.  
SMT.VANDANA MENON RESPONDENTS/LEGAL HEIRS OF  
DEFENDANT: 1 AMINA, GED 52 YEARS, W/O.SULAIMAN,  
MADTHINKAL HOUSE, CHINANGAD AMSOM DESOM, OTTAPALAM

TALUK, PALAKKAD - 679 511 2 RASHEEDA AGED 35 YEARS D/O. SULAIMAN 3 HASSAN AGED 32 YEARS S/O. SULAIMAN 4 JASEELA AGED 29 YEARS D/O. SULAIMAN 5 JALEELAGED 26 YEARS S/O. SULAIMAN R1-5 BY ADV. P. JAYARAM THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 30.08.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

## **JUDGMENT**

The petitioner herein, who is the decree holder has approached this court, aggrieved by the delay in the disposal of IA.No.973/2012 in OS.No.183/2008 of the Sub Court, Ottappalam.

2. Heard both sides. It is seen that the court below, by Ext.P4 order, has held that the only contention set by the respondent was that RFA.No.596/2012 was pending. It is reported that RFA has been disposed of. Having considered this, I am inclined to dispose of the

OP(C) itself, with a direction to the Sub Judge, Ottappalam, to take and dispose it of IA.No.973/2012 on merits, as expeditiously as possible, within a period of two months from the date of receipt of a copy of this

**judgment.**

Sd/- SUNIL THOMAS, JUDGE R.AV //True Copy// PS to Judge

APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1: TRUE COPY OF THE JUDGMENT IN O.S.NO. OF THE SUBORDINATE JUDGE, OTTAPPALAM. EXHIBIT P2: TRUE COPY OF THE JUDGMENT IN R.F.A. NO. EXHIBIT P3: TRUE COPY OF THE APPLICATION, I.A. NO. EXHIBIT P4: TRUE COPY OF THE ORDER PASSED BY THE LEARNED SUB JUDGE IN I.A. 973/2012 IN O.S. 183/2008 DATED 18.02.2016. EXHIBIT P5: TRUE COPY OF THE JUDGMENT IN O.P.(C) NO. 895/2016 DATED 27.06.2016. EXHIBIT P6: TRUE COPY OF THE O.P. 458/2016 FILED BY THE 1ST RESPONDENT, DATED 01.09.2016.

EXHIBIT P7: TRUE COPY OF THE JUDGMENT IN O.P.458/2016, DATED 30.11.2016. EXHIBIT P8: TRUE COPY OF THE EXECUTION PETITION NO. 14/2017 FILED BY THE 1ST RESPONDENT, DATED 03.04.2017. EXHIBIT P9: TRUE COPY OF THE ORDER IN E.P. NO. 17.08.2017.

RESPONDENT'S/S EXHIBITS NIL

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