

Shibu, vs Aiswarya,

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SooperKanoon Citation : sooperkanoon.com/1914974

Court : Kerala

Decided On : Oct-31-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : OP(C)/1303/2019

Appellant : SHIBU,

Respondent : Aiswarya,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR THURSDAY, THE 31ST DAY OF OCTOBER 2019 / 9TH KARTHIKA, 1941 AGAINST THE ORDER/JUDGMENT IN OS 73/2009 OF ADDITIONAL MUNSIFF COURT, KOLLAM AGAINST THE ORDER/JUDGMENT IN AS 118/2016 OF III ADDITIONAL DISTRICT COURT, KOLLAM PETITIONER/S: SHIBU, AGED 45 YEARS, S/O.CHELLAPPAN PILLAI, RESIDING AT THIKKACHAN VEEDU, MAYYANAD CHERRY, MAYYANAD P.O., MAYYANAD VILLAGE, KOLLAM, PIN-691303. BY ADVS. SRI.A.JANI(KOLLAM) SRI.G.SIVASANKAR RESPONDENT/S: 1 AISWARYA, AGED 32 YEARS, S/O.CHELLAPPAN PILLAI, 2 RETNAMMA AMMA, AGED 70

YEARS, W/O.CHELLAPPAN PILLAI, R1-2 BY ADV. SRI.C.R.REGHUNATHAN R1-2 BY ADV. SRI.B.HARRYLAL R1-2 BY ADV. SRI.P.VIJAYAKUMAR THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 31.10.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -2-

JUDGMENT

In view of the limited nature of the prayer, the court below is directed to dispose of Ext.P6 (I.A.33/2019 in A.S.118/16) on the files of the Additional District Court-III, Kollam, in accordance with law as expeditiously as possible and at any rate within a period of one month from the date of receipt/ production of a copy of this judgment. The original petition stands disposed of as above. Sd/- B.SUDHEENDRA KUMAR JUDGE Nkr/31.10.19 -3- APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF JUDGMENT IN O.S.NO.73 OF EXHIBIT P1 A TRUE COPY OF DECREE IN O.S.NO.73 OF EXHIBIT P2 TRUE COPY OF FINAL DECREE PASSED IN I.A.NO.2752 OF 2012 IN EXHIBIT P1 SUIT DATED 07.07.2015. EXHIBIT P3 TRUE COPY OF APPEAL MEMORANDUM IN A.S.NO.118 OF 2016 PENDING BEFORE ADDITIONAL DISTRICT COURT III, KOLLAM DATED 05.07.2016. EXHIBIT P4 TRUE COPY OF E.P.NO.62 OF 2016 PENDING BEFORE ADDITIONAL MUNSIF COURT, KOLLAM DATED 01.04.2016. EXHIBIT P5 TRUE COPY OF PROCEEDINGS IN EXHIBIT P3 APPEAL AS PER E-COURT SERVICE. EXHIBIT P6 TRUE COPY OF I.A.33 OF 2019 PREFERRED IN EXHIBIT P3 APPEAL DATED 22.01.2019.. EXHIBIT P7 TRUE COPY OF ORDER IN EXHIBIT P4 EXECUTION PETITION DATED 28.02.2019.