

IN THE COURT OF DISTRICT JUDGE, ERNAKULAM

Present:

Smt. Honey M. Varghese, District Judge

Wednesday, the 6th day of August, 2025/15th Sravana, 1947

I.A. No.1 of 2025 in A.S. No. 103 of 2025

Petitioner/Appellant:-

Nishad Mathew, aged 42 years, S/o. K.T.Mathew, Flat No.28,
Skyline Gateway, S.Kalamassery N H-47, Pathadipalam, Edappally
South, Kochi-682024.

By Adv. N.K.Mohanlal.

Respondent/Respondent:-

Shanto, aged 50 years, Master's Equipments, SIDCO Industrial
Park, Plot No.63, Champannoor, Angamalay, South P.O.,
Ernakulam, Pin-683573.

This petition is filed under Order XLI Rule 5 and Section 151 of the CPC, praying this court to stay all further proceedings in execution of decree in OS.1444/2019 of Munsiff's Court, Ernakulam.

This petition coming on for hearing on 06.08.2025 and the court on the same day, passed the following:-

ORDER

This petition is filed to stay all further proceedings in execution of Decree in OS.1444/2019 dated 12/06/2025 on the file of 2nd Addl. Munsiff's Court, Ernakulam.

2. Counsel for the petitioners submitted that there is every chance to allow the appeal in his favour and if stay is not granted, they will be put to irreparable injury, loss and hardship.

3. I have perused the appeal memorandum and the averments in the petition. Somany grounds are mentioned in the appeal to challenge the impugned Judgment and Decree and if stay is not granted they will be put to irreparable injury, loss and hardship. Hence all further proceedings in execution of Decree in OS.1444/2019 dated 12/06/2025 on the file of 2nd Addl. Munsiff's Court, Ernakulam is stayed till 27/09/2025 on condition of furnishing security of Rs.3,01,178/- to the satisfaction of the execution court on or before 27/09/2025.

Issue notice to the respondents. For Return of notice, objection and hearing to 27/09/2025.

Pronounced by me in open court on this the 6th day of August, 2025.

Sd/-
Honey M. Varghese,
District Judge

sp/
comp. By:

I.A.No.1 of 2025 in AS No.103/2025
Order dated 06.08.2025