

IN THE COURT OF DISTRICT JUDGE, ERNAKULAM

Present:

Smt. Honey M. Varghese, District Judge

Monday, the 4th day of August, 2025/13th Sravana, 1947

I.A. No.1 of 2025 in CMA No.48 of 2025

Petitioners/Appellants:-

1. Chief Manager, State Bank of India, Stressed Asset Recovery Branch, 7th Floor, Vankarath Tower, Pipeline Road, Bypass Junction, Palarivattom, Ernakulam 682024 shown as S M E Vyttila, 2nd Floor, Shyama Business Hub, Ernakulam District 682019.
2. Authorized Officer, State Bank of India, Stressed Asset Recovery Branch, 7th Floor, Vankarath Tower, Pipeline Road, Bypass Junction, Palarivattom, Ernakulam 682024 shown as S M E Vyttila, 2nd Floor, Shyama Business Hub, Ernakulam District- 682019.

By Adv.M/s. Thomas T.Varghese, Achu Shubha Abraham, Kallyani G.Menon, Angel Rose, Neha Susan Thomas, Rineesha Rajkumar

Respondents/Respondents:-

1. Ali V, aged 85 years, S/o Veeraan, Suhara Manzil House, 2/452, Inchiparambu, Thrikkakara P. O., Kakkanad Kara, Kakkanad Village, Kanayannur Taluk, Pin-682021.
2. Thomas J Vayalatt, aged 63 years, S/o V T Joseph, Vayalatt House, 6/419 A, VT J Enclave, Maradu P O, Maradu Kara, Maradu Village, Kanayannur Taluk, Ernakulam District, Pin- 682304.

This petition is filed under Order XLIII Rule 2 read with Order XLI Rule 5 of the Code of Civil Procedure, 1908, praying this court to stay the operation of the order dated 30.06.2025 passed by the IInd Additional Munsiff's Court, Ernakulam in I.A. No. 1/2025 in O.S. No. 444/2025 pending disposal of the appeal.

This petition coming on for hearing on 04.08.2025 and the court on the same day, passed the following:-

ORDER

This petition is filed to stay the operation of the impugned order dated 30.06.2025 in I.A. 01/2025 in O.S. No. 444/2025 on the file of II Additional Munsiff's Court, Ernakulam.

2. The counsel for the petitioners submitted that there is every chance to allow the appeal in their 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 order and if stay is not granted they will be put to irreparable injury, loss and hardship. Hence interim stay is granted to stay the operation of the order dated 30.06.2025 in I.A. 01/2025 in O.S. No. 444/2025 on the file of II Additional Munsiff's Court, Ernakulam till 18/09/2025.

Issue notice to respondents. For Return of notice to 18/09/2025.

Pronounced by me in open court on this the 4th day of August, 2025.

Sd/-

**Honey M. Varghese,
District Judge**

sk/
comp. By:

I.A.No.1 of 2025 in CMA No.48/2025
Order dated 04.08.2025