

IN THE COURT OF PRINCIPAL SUB JUDGE, NORTH PARAVUR

Present:- Smt. Wincy Ann Peter Joseph, Principal Sub Judge

Thursday, the 21st day of August, 2025/30th Sravana, 1947

R.P. No.10/2025 in R.P. No.9/2024 in O.S. No.63/2022

Petitioner/Defendant:-

Chandrika, W/o. Jagathy, Erumathala Kara, Aluva East Village, Aluva Taluk. (Now residing at Chungath House, Manakkapady, Karumalloor Village, Paravur Taluk)

By Adv. Deepu K.V.

Respondent/Plaintiff:-

Kunjumammed, S/o. Ibrahim, Vallur House, Erumathala P.O., Pin – 683 112, Erumathala Kara, Aluva.

By Adv. Rishad P.H.

This petition filed Under Order 9 Rule 7 and Section 151 of the Code of Civil Procedure, to set aside the exparte order in R.P. 9/2024 dated 04.07.2025 and the petition be reopened.

This petition having been finally heard on 21.08.2025 and the court on same day passed the following:-

ORDER

Both sides represented. Back file received. Heard. Perused case records.

On perusal, it is seen that the averments in the affidavit contain genuine reasons. Exparte decree and judgment was passed on 23.10.2024 and the petitioner/defendant has filed petition to set aside exparte decree was filed as I.A. No.9/2024 on 22.11.2024. Since the petition has filed to appear before the court for enquiry and hearing the matter and as there were no representation for the petitioner on 04.07.2025, the said I.A. was dismissed for default. Since, it is not fair to shut the opportunity of the petitioner/defendant to have a judgment on merit, I am inclined to grant this petition.

In the result, IA allowed. No costs.

Pronounced in open court on this the 21st day of August, 2025.

Wincy Ann Peter Joseph,
Principal Sub Judge.

Appendix:- Nil.

Principal Sub Judge.

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DTD: 21.08.2025