

IN THE COURT OF THE MUNSIF, PERUMBAVOOR

Present:- Sri. Atheek Rahman, Munsiff

Tuesday the 15th day of December, 2020/ 24th Agrahayana, 1942

E.A.164/2019 in E.P. 91/2017 in O.S. No. 8/2014

Petitioner/Judgment Debtor:-

Latha, aged 41 years, D/o Gangadharan, Thenkunnel House,
Kurichilakode Kara, Kodanad Village.

By Adv. Sri. Maitheen M. Pareeth

Respondent/Decree Holder :-

Sara Sebastian, W/o Sebastian, aged about 53years, Edampadath
House, Mazhuvannoor Kara, Airapuram Village.

By Adv. Sri. T.N. Arunkumar

This Petition having been finally heard before me on 14/12/2020 and the court on 15/12/2020 passed the following:-

ORDER

1. This petition is filed by the petitioner/judgment debtor under section 151 of CPC for receiving the additional objection filed to the notice issued under section O. 21 R. 66 of CPC. Petition is supported by an affidavit sworn by the petitioner.

2. Brief averment in the affidavit is that on 10.07.2019 petitioner filed objection to notice issued under O. 21 R. 66 of CPC. Subsequently, auction was ordered and the sale was set aside by the Court. Thereafter, the decree holder filed petition to resale of the property. During this stage, when the judgment debtor came to notice that there is some legal defect in the notice under rule 66 issued to judgment debtor and she has realised that it is highly necessary to file additional objection. There is no delay in filing the additional objection. Hence, the petition is filed to receive the additional objection.

3. Respondent/decreed holder received copy of the petition on 18.09.2019.
But, no objection seen filed.

4. Both sides were heard.

5. As per the order dated 19.11.2020 in OP(C) No. 1390/2020 the Hon'ble High Court of Kerala directed this Court to consider the additional objection filed by the petitioner/judgment debtor after considering this petition as expeditiously as possible and at any rate within a period of one month from the date of the order. I have perused the affidavit. No objection seen filed from the side of the decree holder. As per the said order of the Hon'ble High Court and being satisfied with the reason stated in the affidavit in support of the petition the petition is allowed and additional objection is received.

Pronounced by me in open court on this the 15th day of December, 2020.

Sd/-
ATHEEK RAHMAN
MUNSIFF

Appendix:

Nil

// True Copy //

Id/-
Munsiff
(By Order)

Junior Superintendent

Jb/-
Compd.by :

Copy of Order in
E.A.164/2019 in E.P. 91/2017 in
O.S. No. 8/2014
Dated :15/12/2020