

**IN THE COURT OF THE SUB JUDGE, KATTAPPANA  
PRESENT:- SHRI. ARAVIND B EDAYODI, SUB JUDGE**

Friday, the 12<sup>th</sup> day of September 2025/ 21<sup>st</sup> day of Bhadra 1947

**E.A. 134/2025 & E.A. 136/2025 IN E.P. 8/2020 IN O.S. 6/2016**

**E.A. 134/2025**

**Petitioners/  
Judgment Debtors:-**

1. Joy Devasia S/o Devasia, aged 51 years, residing Marangattil House, Chakkupallam, Chakkupallam P.O., 6<sup>th</sup> Mile, Chakkupallam Village, Udumbanchola Taluk, Idukki District.
2. Sini Joy W/o Joy Devasia, aged 46 years, residing Marangattil House, Chakkupallam P.O., 6<sup>th</sup> Mile, Chakkupallam Village, Udumbanchola Taluk, Idukki District.

***(By Adv. Nikhil Kareth***

***&***

***Adv. Anoop Sasi)***

**Respondent/  
Decree Holder:-**

- : Vadakkemuriyil Finance Company (India) Private Ltd, Anakkara, branch at Anakkara Chakkupallam Village, Udumbanchola Taluk, Idukki District. represented by its Managing Director.

***(By Adv. Siby Scaria)***

**E.A. 136/2025**

**Petitioners/  
Judgment Debtors:-**

1. Joy Devasia S/o Devasia, aged 51 years, residing Marangattil House, Chakkupallam, Chakkupallam

P.O, 6<sup>th</sup> Mile, Chakkupallam Village,  
Udumbanchola Taluk, Idukki District.

2. Sini Joy W/o Joy Devasia, aged 46 years, residing Marangattil House, Chakkupallam P.O., 6<sup>th</sup> Mile, Chakkupallam Village, Udumbanchola Taluk, Idukki District.

*(By Adv. Nikhil Kareth*

*&*

*Adv. Anoop Sasi)*

***Respondent/  
Decree Holder:-***

: Vadakkemuriyil Finance Company (India) Private Ltd, Anakkara, branch at Anakkara Chakkupallam Village, Udumbanchola Taluk, Idukki District. represented by its Managing Director.

*(By Adv. Siby Scaria)*

E.A. 134/2025 is filed Under Order 21 Rule 90 and Section 151 and E.A. 136/2025 is filed Under Order 20 Rule 11(2) and Section 151 of the Civil Procedure Code and coming before me for hearing on 12.09.2025 in the presence of the above counsel and the court on the same day passed the following:-

### **COMMON ORDER**

E.A. 134/2025 filed by the Judgment Debtor to permit him to satisfy decree debt by the payment of installments and E.A. 136/2025 filed by the Judgment Debtor under Order XXI Rule 90 CPC to set aside the sale held on 02.04.2025. Decree holder objected the petitions.

2. Heard both sides.

3. This court has no jurisdiction to permit the Judgment Debtor to satisfy the decree by installments in an execution proceeding. E.A. 134/2025 filed on 09.06.2025, for setting aside the sale held on 02.04.2025. As per Article 127 of the schedule to the Limitation Act, an application to set aside sale in execution of a decree is to be filed within 30 days from the date of sale. But the application is not filed within time. Hence E.A. 136/2025 is not maintainable.

**In the result:-**

E.A. 134/2025 and E.A. 136/2025 are dismissed.

*Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 12<sup>th</sup> day of September 2025.*

*Sd/-*

**ARAVIND B EDAYODI  
SUB JUDGE, KATTAPPANA**

APPENDIX : NIL

*Sd/-*

**SUB JUDGE, KATTAPPANA**

//TRUE COPY//

**SUB JUDGE, KATTAPPANA**

COPY OF  
COMMON ORDER  
E.A. 134/2025 & E.A. 136/2025  
IN E.P. 8/2020 IN O.S. 6/2016  
DATED:12.09.2025