

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

Tuesday, the 4th day of November, 2025 /13th day of Karthika, 1947

E.A. 229/2025 in E. P. 8/2025

Petitioner/
Decree Holder

: The Kattappana Service C-Operative Bank Ltd., No.3738; represented by Robins George, aged 50 years, S/o George, Secretary, Kattappana SCB Ltd., Kattappana P. O., Kattappana Village, Idukki Taluk.

(By Adv. A. M.. Michael)

Cr.Petitioner/
Judgment Debtor

∴ Ambily Wilson W/o Vincent V. Kurien@ Wilson, Vellikunnel house, Kattappana Kara, Kattappana Village, Idukki Taluk.

(By Adv. Jomon K. Chacko, Adv. Ajay M.
&
Adv. Amal Tomy)

This Petition is filed Under Order 21 Rule 72 of Civil Procedure Code and coming before me for hearing on 04.11.2025 in the presence of the above counsel and the court on the same day passed the following:-

ORDER

This is an application filed under Order XX1 Rule 72 of Civil Procedure Code to permit the decree holder to participate in the auction for the sale of property ordered for the execution of the decree.

2. Respondent/ judgment debtor filed objection stating that it is not proper to permit the decree holder to bid the property in a circumstance the sale of 2 cents of property is sufficient to satisfy the decree, as the property has a value of Rs.15,00,000/-(Rupees Fifteen Lakh Only) per cent and no wide publication is made for the sale of the property.

3. Heard both sides.

4. Property could not be sold in the auction based on the approved DSP on 2 occasions, as stating no bidders. Hence it is proper to grant permission to the decree holder to participate in the auction in order to avoid delay on execution of decree. The approved DSP is with Rs. 15,00,000/-(Rupees Fifteen Lakh Only) per cent as the value of property as stated by the Judgment Debtor based on the objection raised by the Judgment Debtor regarding the value of the property. Considering the value of the property, it is proper to conduct sale, after publishing sale of property in the local news paper. Hence sale is ordered on 05.12.2025 in between 2.30 PM and 3.00 PM, at court premises based on approved DSP as per order dated 20.09.2025, on publishing the sale in one or two local daily which has circulation in the locality. The petitioner is also permitted to participate in the auction, on a condition that the sale amount shall not be less than the decree debt as the decree holder is a secured creditor and the property seeking sale is mortgaged.

In the result,

1. The petitioner is also permitted to participate in the auction on a condition that the sale amount shall not be less than the decree debt as the decree holder is a secured creditor and the property seeking sale is mortgaged.

2. Sale is ordered on 05.12.2025 in between 2.30 PM and 3.00 PM at court premises based on approved DSP as per order dated 20.09.2025, after publishing the sale in one or two local daily which has circulation in the locality.

Dictated to the Confidential Assistant, typed by her, corrected and pronounced by me in open court on this the 04th day of November 2025.

**ARAVIND B EDAYODI
SUB JUDGE, KATTAPPANA**

APPENDIX : NIL

SUB JUDGE, KATTAPPANA

Typed by : Sheena
Compd. by : Mahesh

Order in
E.A. 229 /2025 in E. P. 8/2025
Dated: 11.09.2025