

IN THE COURT OF THE DISTRICT JUDGE, KASARAGOD

Present:-Sri.Sanu.S. Panicker, District Judge,
Thursday,the 9th day of October,2025

I.A.No.1 OF 2025 in A.S No.39 OF 2025

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| 1 | Aysha, aged 46 years, W/o.Abdul Majeed, Residing at Koovathotti House, Mookampara, Neerchal Village, Post Peradala, Kasaragod Taluk and District | |
| 2 | Zubair, aged 61 years, S/o.Late Dainabi, Residing at Mooladka House, Neerchal Village, Post Peardala, Pin 671 551, Kasaragod Taluk and District | Appellants
(Defendants
4,6 & 7) |
| 3 | Layila, aged 59 years, D/o.Late Dainabi, Residing at Mooladka House, Neerchal Village, Post Peradala, Pin 671 551, Kasaragod Taluk and District | |
| AND | | |
| 1 | P.Abdulla, aged 74 years, S/o.Andu, Residing at Koovathotti House, Neerchal Village, Post Peradala, Kasaragod Taluk and District. | Respondents |
| 2 | Vinoj.M.A, aged 53 years, S/o. Augusthy, Residing at Koovathotti House, Opposite Holi Family Convent, Mookampara, Neerchal Village, Post Peradala, Kasaragod Taluk and District. | (Plaintiff
defendants
1,2,3 & 5) |
| 3 | Abdul Majeed (Dead) | |
| 4 | Dainabi (Dead) | |
| 5 | Haneefa (Dead) | |

Application filed under Order 41 Rule 5 and Section 151 of C.P.C to stay the execution of the Decree and Judgment dated 31.07.2025 passed by the Principal Munsiff Court, Kasaragod in O.S No.396/2014.

Petition filed on : 04.10.2025

This petition coming on this day for hearing before me in the presence of Sri.K.Mahalinga Bhat, Advocate for Petitioners(Appellants); the Court passed the following:-

O R D E R

Heard.

2. At the hearing, Mr.K.Mahalinga Bhat, the learned counsel appearing for the petitioners/appellants submitted that the appellants are the defendants in the suit who have got good ground to contest the matter in the appeal against the impugned decree passed by the trial court. He further submitted that though the suit was originally dismissed, but it was remanded in appeal, and after the remand, the suit is decreed. He therefore seeks stay of the

operation of the impugned decree until the appeal is heard on merits.

3. Having considered the aforesaid submission of the learned counsel appearing for the petitioner/appellant, I am of the view that the execution of the impugned decree passed by the trial court is liable to be stayed until further orders. I order accordingly.

In the result, the execution of impugned decree in OS.396/2014 on the file of the Court of Principal Munsiff, Kasaragod stands stayed until further orders.

Issue urgent notice to the respondents by registered post.

Dictated to the Confidential Assistant, transcribed and typed by her, revised and corrected by me and pronounced on this the 9th day of October, 2025.

Sd/-

**DISTRICT JUDGE
KASARAGOD**

//True copy//

SHERISTADAR

Typed by : Jayanthi.K
Compared by : Aswathi.K

**Fair/Copy of Order
in I.A.No.01/2025
in A.S.No.39/2025**

Dated: 09.10.2025