

IN THE COURT OF THE SUBORDINATE JUDGE OF VATAKARA

Present: Sri. Joji Thomas, Sub Judge

Tuesday, the 17th day of June, 2025

EA 105/2025 in EP 55/2024 in OS 92/2022

Between:

1. M/s Bahja Gold, a partnership firm,
Main road Villiappally, Villiappally -
amsom desom, Vatakara Taluk,
Kozhikode District, Kerala State,
Pin-673542. Represented by its Managing
Partner T.T. Nizar, aged 50 years,
S/o Kunhammad, business, residing at
'Sainaba Manzil', Villiappally amsom,
Mayyannur desom, Vatakara Taluk,
Kozhikode District, Kerala State, Pin- 673542.
 2. T.T. Nizar, S/o Kunhammad,
aged 50 years, business, residing at
'Sainaba Manzil', Villiappally amsom,
Mayyannur desom, Vatakara Taluk,
Kozhikode District, Kerala State,
Pin- 673542.
- } Petitioners/
D1 & D2

And:

1. Muhammed Midlej.K,
S/o Kunhammad, Aged 33 years,
Meethale Kodiyath house,
Villiappally amsom, Mayyannur desom,
Kerala State, Pin- 673503. (Plaintiff)
 2. Ibrahim.T.T, S/o Kunhammad, aged 52 years,
business, residing at 'Sainaba Manzil',
Villiappally amsom, Mayyannur desom,
Vatakara Taluk, Kozhikode District,
Kerala State, Pin- 673542. (D3)
- } Respondents

3. Faisal, S/o Kunhammad, aged 43 years, business, residing at 'Sainaba Manzil', Villiappally amsom, Mayyannur desom, Vatakara Taluk, Kozhikode District, Kerala State, Pin- 673542.(D4) } Respondents.

This petition coming on this day for hearing before me in the presence of Sri. Ajay Ramath, Advocate for petitioners and of Sri. K.K. Anilraj, Advocate for respondents, this court passed the following.

ORDER

Petition filed under Order 21, Rule 69 of the Code of Civil Procedure.

Heard both sides. The counsel appearing for the petitioner submitted that application to set aside ex-parte decree is already filed and sale to be conducted today has to be stayed. In fact, application to set aside ex-parte decree is filed along with an application to condone delay of more than 500 days. However, pending consideration of application for setting aside ex-parte decree sale proceedings is adjourned to 03.07.2025.

(Pronounced by me in the open Court on this the 17th day of June, 2025)

Sd/-
SUB-JUDGE,
VATAKARA.

Witnesses and Exhibits marked on either side : NIL

Sd/-
SUB-JUDGE,
VATAKARA .

pp/-

Fair/Copy of Order in EA 105/2025
EP 55/2024 in OS 92/2022
dated 17/06/2025