

IN THE COURT OF THE SUB JUDGE, PALA

Present:- Smt. Rajasree Rajgopal , Sub Judge

Friday 17th day of October 2025

25th day of Aswina 1947

EA 6/2025

in

EP 101/2022

Decree Holder:-

Sreedharakaimal B, 56 years, S/o Rama Kaimal, Uliyanthanath House, Nechipuzhoor Kara, Lalam Village, Meenachil Taluk.

By- Adv. S Rajesh

Judgment Debtor:-

Valavoor Service Co-operative Bank No. K-91, Represented by Secretary Gopalakrishnan Nair K.K, Konippadu House, Vallichira Village, Meenachil Taluk.

By - Adv. P.K Lal

This Petition is coming up for consideration on 17.10.2025 and the court on the same day passed the following:-

ORDER

The Judgment Debtor has filed this petition seeking stay of all further proceedings in the present execution petition on the ground that the ex parte award passed in ARC No.2618/2018 by the Assistant Registrar (General), Meenachil, Pala, has been challenged by him through a petition to set aside the award, which is pending before the same authority. It is contended that the award was passed without notice and that if the execution is proceeded with, the remedy sought in the set-aside petition will be rendered infructuous.

2. I have carefully considered the rival submissions and perused the records. The award in ARC No.2618/2018 is at present a valid and executable decree under Section 70(2) of the Kerala Cooperative Societies Act, 1969. Unless and until

the award is set aside or stayed by the competent authority under the said Act, this Court, executing the decree, cannot go behind or suspend the execution on the mere pendency of a set-aside petition.

3. The jurisdiction of this Court is confined to executing the decree as it stands, and no stay has been produced from the Registrar or competent authority. Therefore, there exists no legal basis to stay or adjourn the execution proceedings indefinitely under Section 151 CPC.

Accordingly, the petition is dismissed. The execution shall proceed in accordance with law.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 17th day of October 2025.

Sd/-
Rajasree Rajgopal
Sub Judge

APPENDIX: Nil

Id/-
Sub Judge

Typed by: Manju
Compd by: Sini

Rajasree Rajgopal
Sub Judge