

IN THE COURT OF THE MUNSIF, IRINJALAKUDA
Present Smt.Abeena.C.H, Additional Munsiff
Wednesday, 11th day of March 2026/20th Phalguna, 1947

EP 98/2024 in CKY OS 988/2015

Decree Holder:-

The Peninsula Chits (P) Ltd., Irinjalakuda. Rep. by
Director K. L. Davis, 64 years, S/o Kozhaliparambil Veetil
Lonappan, Pudukkad Desom, Thoravu Village,
Mukundapuram Taluk.

By Adv. Wilson Jose Vadassery

Judgment Debtors:-

1. Jiju, 39 years, S/o Palayamkodu Saleem, Pariyaram
Village, Desom, Chalakudy Taluk.
2. Beevi, 61 years, W/o Palayamkodu Saleem, Pariyaram
Village, Desom, Chalakudy Taluk.
3. Joly, 59 years, S/o Chemmandakaran Antony, Kombidi
Desom, Thazhekkad Village, Mukundapuram Taluk.
4. Rashi, S/o Palaparambil Rasak, Porathissery Village,
Desom, Mukundapuram Taluk.
JD 3 & 4 By Adv. V. G. Subash Chandra Babu

This petition coming on this day for hearing and the court passed the following:

ORDER

This is an execution petition filed under Order XXI, Rules 10, 11
CPC against judgment debtors 3 and 4 for arrest and detention.

2. Rule 37 notice were served to the judgment debtors 3 and 4. They
appeared through counsel and filed objection. As no objection as to executability

of the decree was raised, case posted for proving the means of judgment debtors 3 and 4. Decree holder was examined as PW1. No evidence adduced from the side of judgment debtors 3 and 4. After enquiry, judgment debtors 3 and 4 were found having sufficient means to pay decree amount and thus warrant of arrest issued. At the time of execution of warrant, the counsel for the judgment debtors filed a certificate issued by decree holder company stating that entire decretal amount is satisfied by accepting payment from 1st judgment debtor. The decree holder filed affidavit admitting the execution of said document. But decree holder contended that the amount was in fact received for another E.P and due to some clerical errors, they entered in the certificate that amount due under E.P 98/2024 received fully. The said submission of decree holder is not acceptable. They have admitted execution of certificate produced by the judgment debtors. As per the said certificate, amount due and E.P 98/2024 fully satisfied. Beyond said contents, they cannot now plead that it is only clerical error. An affidavit of decree holder is not sufficient to discredit the certificate produced by judgment debtors. Hence, in view of certificate dated 23.02.2026 issued by decree holder, E.P closed recording full satisfaction.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open court on this the 11th day of March, 2026).

Sd/-
Abeena.C.H,
Additional Munsiff

APPENDIX:-

Decree Holders Witness:-

PW1 04.07.2025 Davis

Decree Holders Exhibits:- Nil

Judgment Debtors Witness:- Nil

Judgment Debtors Exhibits:- Nil

Sd/-
Additional Munsiff

//True copy//

Additional Munsiff

Copied by:- rh
Com.by:-

Order in EP 98/2024
in CKY OS 988/2015
Dated. 11.03.2026