

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

FRIDAY, THE 31ST DAY OF OCTOBER 2014/9TH KARTHIKA, 1936

RFA.No. 224 of 2014 ()

AGAINST THE JUDGMENT IN OS 269/2012 of PRL.SUB COURT, KOTTAYAM
DATED 29-11-2013

APPELLANT(S)/1ST & 3RD DEFENDANTS :-

1. JAMEELA BASHEER, AGED 54 YEARS
W/O.BASHEER RESIDING AT KOMPANAPARAMBIL HOUSE
NATTASSERY KARA, PERUMBAIKKADU VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT.
2. SAJINA BASHEER, AGED 26 YEARS
D/O.BASHEER RESIDING AT KOMPANAPARAMBIL HOUSE,
NATTASSERY KARA, PERUMBAIKKADU VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT.

BY ADVS.SRI.LIJI.J.VADAKEDOM
SMT.REXY ELIZABETH THOMAS

RESPONDENT(S)/PLAINTIFF AND 2ND AND 4TH DEFENDANTS :-

1. JAIMON JOHN, AGED 41 YEARS, S/O.JOHN, KEEZHEDATHU HOUSE
ATHIRAMPUZHA PADINGATTUMBHAGAM KARA
ATHIRAMPUZHA VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT NOW RESIDING AT SREESHYLAM HOUSE
C/O.P.R.CHELLAPPAN, ONAMTHURUTH KARA
ATHIRAMPUZHA VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT - 686 001.
2. RAGEENA BASHEER, AGED 28 YEARS, D/O.BASHEER
RESIDING AT KOMPANAPARAMBIL HOUSE, NATTASSERY KARA
PERUMBAIKKADU VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT - 686 001.

3. ANSALNA, AGED 25 YEARS, D/O.BASHEER
RESIDING AT KOMPANAPARAMBIL HOUSE, NATTASSERY KARA
PERUMBAIKKADU VILLAGE, KOTTAYAM TALUK
KOTTAYAM DISTRICT - 686 001.

R1 BY ADV. SRI.V.P.MOHAMMED NIYAZ
SRI.M.P.MUHAMMAD FAZIL
SRI.K.RONALD JOSE
SMT.AUGNES LOVELY FRANCIS

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON
31-10-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Jvt

P.N.RAVINDRAN & P.B.SURESH KUMAR, JJ.

R.F.A. No.224 of 2014

Dated this the 31st day of October 2014

J U D G M E N T

Ravindran, J.

This appeal was admitted and notice ordered to the respondents on 19.3.2014. The appellants have, however, not so far paid the balance court fee payable in the appeal. They have also not applied for enlargement of time to pay the balance court fee. In such circumstances, this appeal is rejected for non-payment of the court fee in full. In view of the decision of the Division Bench of this Court in **Jamal v. Mohammedkutty** [2003 (3) KLT 803], the Registry is directed to refund the court fee paid on the memorandum of appeal, to the appellants.

Sd/-
P.N.RAVINDRAN, JUDGE.

Sd/-
P.B.SURESH KUMAR, JUDGE.

//True copy//

P.A. To Judge

Jvt