

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN**

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

LA.App.No. 251 of 2014 ()

**AGAINST THE JUDGMENT & DECREE IN LAR 47/2010 OF SUB COURT,
PERUMBAVOOR DATED 31-08-2013**

APPELLANT/1ST RESPONDENT IN LAR :

**STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR,
ERNAKULAM.**

BY SR. GOVT. PLEADER SRI. R. PADMARAJ

RESPONDENT/CLAIMANT & IIND RESPONDENT IN LAR :

**1. PAULOSE
S/O.MATHAI, CHELATHADATHIL HOUSE, MATTAKUZH
VARIKOLI P.O. - 682 308.**

**2. THE DEPUTY MANAGER (PROJECT)
BPCL (KRL), AMBALAMUGAL - 682 302.**

**R1 BY ADV. SRI. B. PREMNATH
R2 BY SRI.M.GOPIKRISHNAN NAMBIAR**

**THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

**P.N.RAVINDRAN &
ANU SIVARAMAN, JJ.**

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L.A.A.No.251 of 2014

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Dated this the 10th day of August, 2015

JUDGMENT

P.N.Ravindran, J.

The appellant, the State of Kerala, is the first respondent in L.A.R.No.47 of 2010 on the file of the Court of the Subordinate Judge of Perumbavoor. The first respondent is the claimant and the second respondent is the second respondent therein. By award passed on 31.08.2013, the reference court enhanced the land value awarded by the Land Acquisition Officer from Rs.1,84,779/- per Are to Rs.2,72,241/- per Are. Aggrieved thereby, the first respondent before the reference court has filed this appeal.

2. This appeal came up for admission hearing today along with L.A.A.No.181 of 2014 filed by the requisitioning authority from the very same award. L.A.A.No.181 of 2014 was dismissed as not pressed, in the light of the submission made by

the learned counsel appearing for the appellant therein that the entire amount payable under the decree and judgment passed by the reference court has been paid and the appellant does not wish to prosecute the appeal any further. In such circumstances, as the requisitioning authority has satisfied the award and the appeal filed by it as L.A.A.No.181 of 2014 was dismissed as not pressed, the State of Kerala cannot be said to be aggrieved by the impugned decree and judgment.

The instant appeal is accordingly dismissed.

P.N.Ravindran,Judge

Anu Sivaraman, Judge

sj

