

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MRS. JUSTICE MARY JOSEPH**

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

MATAPPEAL No. 835 of 2015 (F)

**AGAINST THE ORDER IN O.P. No. 1035/2012 OF FAMILY COURT,THRISSUR
DATED 03-07-2015**

APPELLANT/PETITIONER:

**JISHA, AGED 32 YEARS,W/O. ILLIAS,
D/O. KUNJUMHAMMED, TARAYIL HOUSE,
ANJOOR, NJAMANENGHAD, THRISSUR DISTRICT.**

BY ADV. SRI. A.C.DEVY

RESPONDENT/RESPONDENT:

**K.V. ILLIAS, AGED 38 YEARS,
S/O. KUNJUMON HAJI, KEKINIYATH HOUSE,
PUTHUMANASSERY, PAVARATTY,
THRISSUR - 680 507.**

BY ADV. SRI. M.PREMCHAND

**THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 08-10-2015,
ALONG WITH M.A. NO.836/2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

**C.K. ABDUL REHIM, J.
&
MARY JOSEPH, J.**

**MAT. APPEAL NO. 835 of 2015
AND
MAT. APPEAL NO. 836 of 2015**

Dated this the 8th day of October, 2015

JUDGMENT

C.K. ABDUL REHIM, J.

Mat.Appeal No.835/2015 is filed against the judgment in O.P.No.1035/2012 of the Family Court, Thrissur. By the impugned judgment the respondent herein was declared as the absolute owner of the petition scheduled property and the appellant herein was restrained from obstructing the peaceful possession and enjoyment of the property by the respondent.

2. Mat.Appeal No.836/2015 is filed against the judgment in O.P.No.696/2012. By the impugned judgment the claim raised by the appellant for return of gold ornaments and money was dismissed.

3. It is submitted by counsel appearing on both sides

that all the matrimonial disputes pending between the parties has now been settled out of court and compromise petitions under Order 23 Rule 3 of Code of Civil Procedure is filed before this court, as I.A.No.3487 in Mat.Appeal No.835/2015 and I.A.No.3488/2015 in Mat.Appeal No.836/2015.

4. As per terms of the compromise petition it is evident that the parties have decided to live together with their children and they have mutually agreed to set aside the decree and judgment in O.P.No.1035/2012 which is impugned in Mat.Appeal No.835/2015, subject to conditions incorporated therein. It is evident that in the light of the compromise all other cases pending before the Family Court was agreed to be withdrawn.

5. In view of the compromise petition filed in the above appeals, Mat.Appeal No.835/2015 is disposed of by setting aside the impugned judgment and decree of the

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Family Court, Thrissur in O.P. No. 1035/2012. Mat. Appeal. No. 836/2015 will stand dismissed as withdrawn.

6. The compromise petition filed under Order 23 Rule 3 of Code of Civil Procedure will form part of this common judgment. Both the parties will abide by the terms and conditions of the compromise.

Sd/-
C.K. ABDUL REHIM
JUDGE

Sd/-
MARY JOSEPH
JUDGE

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