

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

Mat.Appeal.No. 212 of 2010 ()

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AGAINST THE JUDGMENT IN OP 1047/2008 of FAMILY COURT, ETTUMANOOR
DATED 29-12-2009
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APPELLANT(S)/APPELLANTS/RESPONDENTS :

- 1. SREEJITH, AGED 29 YEARS,
S/O.VASUDEVAN, POORNIMA HOUSE, NARIYANI.P.O
PONKUNNAM, KOTTAYAM DISTRICT.**
- 2. VASUDEVAN, AGED 53 YEARS,
POORNIMA HOUSE, NARIYANI.P.O, PONKUNNAM
KOTTAYAM DISTRICT.**

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENT(S)/PETITIONER:

**K.L.LIJIMOL, AGED 23 YEARS,
D/O.LAKSHMANAN, KARIMATTATHIL HOUSE,
MARIATHURUTHU.P.O
AYMANAM VILLAGE, KOTTAYAM DISTRICT.**

BY ADV. SRI.MATHEW PHILIP EDAPPALLIL

**THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
07-08-2015, ALONG WITH CO. 71/2012, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:**

VS

**C.K.ABDUL REHIM &
K.RAMAKRISHNAN, JJ.**

**Mat.Appeal.No.212 of 2010
& Cross Objection No.71 of 2012**

Dated this the 7th day of August, 2015

JUDGMENT

K.Ramakrishnan, J.

Respondents in O.P.No.1047/2008 on the file of the Family court, Ettumanoor are the appellants herein, while the petitioner in the Family court is the cross objector in the Cross Objection.

2. O.P.No.1047/2008 was filed by the respondent herein before the Family court for return of gold ornaments and money and this was tried along with other cases and by a common judgment, it was disposed of allowing the Original petition in part, giving a decree in favour of the wife, respondent herein, to realize Rs.30,000/- with 9% interest from the date of suit namely 29.10.2008 and also to get recovery of 15 ½ sovereigns of gold ornaments and its present value fixed at Rs.1,75,000/- with 9% interest from the date of decree and also Rs.3,000/- being the value of the steel Almirah payable by respondents 1 and 2. Dissatisfied with the order passed by the court below, the respondents therein filed M.A.No.212/2010

and while dissatisfied with the rejection of certain claims made, the respondent herein filed the Cross Objection.

3. During the pendency of the appeal, the matter has been referred for mediation and the matter has been settled in the mediation and the mediator had sent a report along with the mediation settlement agreement entered between the parties. Both the counsel submitted that the matter has been settled and the appeal and the Cross Objection can be disposed of, on the basis of the settlement. So the settlement is recorded and the order passed by the court below is set aside and a modified decree is passed in terms of the settlement entered in between the parties.

Accordingly, the Cross Objection and Mat.Appeal are disposed of accordingly, setting aside the order passed by the court below and granting a modified order in terms of the settlement and the mediation settlement agreement will form part of the judgment.

Sd/-

C.K.ABDUL REHIM, JUDGE

Sd/-

K.RAMAKRISHNAN, JUDGE