

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT. JUSTICE P.VASHA

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

RFA.No. 124 of 2006

AGAINST THE JUDGMENT IN OS 78/1997 of SUB COURT, MUVATTUPUZHA DATED 28-10-2005

APPELLANT/PLAINTIFF:

JOY, S/O.MATHAI, PARAPPATTU HOUSE,
KOTTAPPADY KARA, KOTTAPPADY VILLAGE
KOTHAMANGALAM TALUK.

BY ADV. SRI.BIJU ABRAHAM

RESPONDENT/DEFENDANT.:

KUNJU KUNJU, S/O.KURIAKOSE,
CHENNETHUMALIL HOUSE, KOTTAPPADY, KOTTAPPADY KARA
KOTTAPPADY VILLAGE
KOTHAMANGALAM TALUK. (DIED LR'S IMPEADED)

Addl.R2. CICILY

W/O.KUNJU KUNJU, CHENNETHUMALIL HOUSE, KOTTAPPADY KARA
KOTTAPPADY VILLAGE, KOTHAMANGALAM TALUK.

Addl.R3. AJO

S/O.KUNJU KUNJU, CHENNETHUMALIL HOUSE, KOTTAPPADY KARA
KOTTAPPADY VILLAGE, KOTHAMANGALAM TALUK.

Addl.4. JJO

S/O.KUNJU KUNJU, CHENNETHUMALIL HOUSE, KOTTAPPADY KARA
KOTTAPPADY VILLAGE, KOTHAMANGALAM TALUK.

(LR'S OF DECEASED SOLE RESPONDENTS ARE IMPEADED AS THE
ADDL.RESPONDENTS R2 TO R4 AS PER ORDER DATED 10.09.2015
IN I.A.986/2009)

R2 to R4 BY ADV.SRI.V.GARUN
R2 to R4 BY ADV.SRI.JAIBY PAUL

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 16-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.A.No.124 of 2006

Dated this the 16th day of October, 2015

JUDGMENT

Antony Dominic, J.

This appeal, filed against the judgment and decree in O.S.No.78/1997 on the file of the Sub Court, Muvattupuzha, was referred for mediation by order dated, 29th June, 2015. Accordingly, the matter was mediated and the parties have entered into memorandum of agreement dated 26th September, 2015 wherein the appellant has agreed to withdraw the appeal as settled.

In view of the above, this appeal is dismissed as withdrawn as agreed by them in the memorandum of agreement. The memorandum of agreement will form part of the judgment. The appellant will be entitled to refund of the court fee paid.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
P.V.ASHA
JUDGE

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