

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

OP(C).No. 1030 of 2015 (O)

OP(ARB) 115/2015 OF DISTRICT COURT, ERNAKULAM.
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PETITIONER(S):

1. JESSY XAVIER, W/O XAVIER, AGED 39 YEARS,
PROPRIETOR, M/S. VELLETHARA LG..SHOPPE,
CMC-03, CHERTHALA P.O.,
CHERTHALA NORTH VILLAGE, CHERTHALA TALUK,
ALAPPUZHA DISTRICT, PIN:688524.
2. XAVIER V., S/O. VARGHESE, AGED 45 YEARS,
CHERTHALA P.O., KOKKOTHAMANGALAM VILLAGE,
CHERTHALA TALUK, ALAPPUZHA DISTRICT, PIN:688 524.
3. PONNAMMA A.V., W/O VASUDEVAN, AGED 73 YEARS,
ATTIYIL, PATHIRAPPALLY P.O.,
PATHIRAPPALLY VILLAGE, AMBALAPPUZHA TALUK,
ALAPPUZHA DISTRICT, PIN:688521.

**BY ADVS.SRI.R.HARIKRISHNAN
SRI.R.RAMESH**

RESPONDENT(S):

**M/S.MUTHOOT VEHICLE AND ASSET FINANCE LIMITED
FORMERLY KNOWN AS MUTHOOT LEASING AND
FINANCE LIMITED, 1ST FLOOR, COCHIN DENTAL
CLINIC BUILDING, MARKET ROAD (TOWARDS COMBARA),
KOCHI-18, REPRESENTED BY ITS POWER OF ATTORNEY
HOLDER MRS. BABY SUJATHA.**

BY ADV. SRI.C.S.MANILAL

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 07-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

mbr/

OP(C).No. 1030 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1: THE TRUE COPY OF THE PETITION I O.P.(ARB)NO.115 OF 2015.
- EXHIBIT P2: THE TRUE COPY OF I.A.NO.475 OF 2015 IN O.P.(ARB)NO.115 OF 2015.
- EXHIBIT P3: THE TRUE COPY OF THE REPORT DATED 19.2.2015.
- EXHIBIT P4: THE TRUE COPY OF THE PETITION IN O.P.(ARB)NO.748 OF 2014.
- EXHIBIT P5: THE TRUE COPY OF THE ORDER OF CONDITIONAL ATTACHMENT BY
THE HONOURABLE DISTRICT COURT DATED 24.12.2014 ALONG WITH
THE ATTACHMENT SCHEDULE.
- EXHIBIT P6: THE TRUE COPY OF I.A.NO.1515 OF 2015 IN O.P.(ARB)NO.115 OF 2015.
- EXHIBIT P7: THE TRUE COPY OF COUNTER AFFIDAVIT TO I.A.NO.475 OF 2015 IN
O.P.(ARB)NO.115 OF 2015.
- EXHIBIT P8: THE TRUE COPY OF MEMORANDUM OF UNDERSTANDING BETWEEN
THE 1ST AND 2ND PETITIONERS AND M/S. GETZ SHOPPE & EXIM PVT.
LTD DATED 3.12.2014.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

B. KEMAL PASHA, J.

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O.P.(C) No.1030 of 2015
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Dated this the 7th day of July, 2015

J U D G M E N T

The matter was referred for Mediation and the Mediation was successful. The parties have settled the matter in Mediation and a Mediation Settlement Agreement has been entered into. On going through the terms contained in the Mediation Settlement Agreement, it seems that all the terms are legal and therefore, the same can be accepted. Accordingly, the Mediation Settlement Agreement is accepted and this Original Petition is disposed of in accordance with the Mediation Settlement Agreement, which forms part of this judgment.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge