

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

OP(C).No. 1140 of 2015 (O)

AGAINST THE ORDER/JUDGMENT IN CMA 15/2013 of ADDL. DISTRICT &
SESSIONS COURT - II, KALPETTA DATED 10-10-2014

AGAINST THE ORDER/JUDGMENT IN I.A.NO.177/2013 IN OS 71/2011 of
SUB COURT, SULTHAN BATHERY DATED 06.06.2013

PETITIONER(S)/PETITIONERS/DEFENDANTS:

1. K.S.AUGUSTINE, AGED 50 YEARS
S/O.SEBASTIAN, KALLUVEETIL HOUSE,
NEDUMBALA, MEPPADI PO, KOTTAPPADI AMSOM,
DESOM OF VYTHITI TALUK.
2. GRACY, AGED 40 YEARS
W/O.SEBASTIAN, KALLUVEETIL HOUSE,
NEDUMBALA, MEPPADI PO, KOTTAPPADI AMSOM,
DESOM OF VYTHITI TALUK.

BY ADV. SMT.CELINE JOSEPH

RESPONDENT(S)/RESPONDENT/PLAINTIFF:

THE SOUTH INDIAN BANK LIMITED,
MEPPADI BRANCH.

BY SRI.K.K.JOHN, SC, SOUTH INDIAN BANK

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 16-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C) .No. 1140 of 2015 (O)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 : COPY OF THE PLAINT IN OS. NO.71/2011 FILED BY THE
RESPONDENT BEFORE THE SUBORDINATE JUDGES COURT, SULTHAN
BATHERY.

P2 : COPY OF THE AFFIDAVIT AND PETITION FILED BY THE
PETITIONERS BEFORE THE SUBORDINATE JUDGES COURT, SULTHAN
BATHERY.

P3 : COPY OF THE DISCHARGE SUMMARY ISSUED FROM COMMUNITY
HEALTH CENTRE, MEPPADI.

P4 : COPY OF THE COUNTER STATEMENT SUBMITTED BY THE
RESPONDENT.

P5 : COPY OF THE ORDER DATED 6-6-2013 IN IA.NO.177/2013 IN
OS.NO.71/2011 BEFORE THE SUBORDINATE JUDGES COURT, SULTHAN
BATHERY.

P6 : COPY OF THE MEMORANDUM OF APPEAL CMA. 15/2013 FILED BY
THE PETITIONERS BEFORE THE HON'BLE DISTRICT COURT, KALPETTA.

P7 : COPY OF THE JUDGMENT DATED 10-10-2014 IN CMA.NO.15/2013
OF THE ADDITIONAL DISTRICT JUDGE-II, KALPETTA, WAYANAD.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN, J.

OP(C) No.1140 of 2015

Dated this the 16th day of September, 2015

J U D G M E N T

Learned counsel for the petitioners submits that this matter has been settled out of court. Hence, this original petition is dismissed as settled out of court.

(THOTTATHIL B. RADHAKRISHNAN, JUDGE)

jjg-16/9/