

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

RFA.No. 14 of 2008

AGAINST THE JUDGMENT IN OS 285/2002 of PRL.SUB COURT, KOTTAYAM DATED 24-03-2007

APPELLANT/PLAINTIFF IN THE SUIT:

E.D.JOSEPH, S/O DEVASIA,
AGED 47, ELAVUMKAL HOUSE, PANACHEPPALLY KARA
PANACHEPPALLY P.O., KOOVAPPALLY VILLAGE
KANJIRAPPALLY TALUK.

BY ADV.SRI.A.P.SUBHASH

RESPONDENTS/DEFENDANTS 1 TO 4 IN THE SUIT:

1. DEVASIA, S/O JOSEPH, AGED 71,
ELAVUMKAL HOUSE, PANACHEPPALLY KARA
PANACHEPPALLY P.O., KOOVAPPALLY VILLAGE
KANJIRAPPALLY TALUK.
2. ALEYKUTTY, D/O.JOSEPH, AGED 77,
LANITHOTTATHIL HOUSE, KARIKATTOOR CENTRE P.O.
MANIMALA.
(Second respondent/second defendant deleted from party array at the risk of the appellant as per order dated 29.10.2015, in I.A.2253/2015.
3. JOSEPH, S/O.ANTONY, AGED 51,
VALIYANKAL, KANJIRAPPALLY KARA, KOOVAPPALLY VILLAGE
KANJIRAPPALLY P.O., KANJIRAPPALLY TALUK.
4. V.A.DEVASIA @ SEBASTIAN,
S/O.ANTONY, AGED 49, THIRUVILAPARAMBIL
MANIMALA P.O., MANIMALA KARA.

R, BY ADV. SRI.RAJEEV V.KURUP

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 03-12-2015,
ALONG WITH RFA. 196/2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.VASHA, JJ.

R.F.A.Nos.14 of 2008 & 196 of 2012

Dated this the 3rd day of December, 2015

JUDGMENT

Antony Dominic, J.

These appeals are filed by the plaintiffs in O.S.285/02 and who is the first defendant in O.S.319/05, on the file of the Sub Court, Kottayam, challenging the common judgment and decree dated 24th March 2007. By order dated, 19th October 2015 these appeals were referred for mediation. Accordingly, the dispute was mediated at the Ernakulam Mediation Centre and the parties have entered into a mediation agreement dated 9th November 2015, settling the disputes.

In view of the settlement thus arrived at, these appeals are disposed of directing that the terms of memorandum of settlement dated 9th November 2015 and the plan appended therein will govern the parties and will form part of the judgment. Appellant will be entitled to refund of the court fee paid on these appeals.

Accordingly, appeals are disposed of.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
P.VASHA
JUDGE