IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

RFA.No. 98 of 2010 ( )

AGAINST THE JUDGMENT DATED 24-08-2009 IN OS. NO.14/2005 OF I ADDITIONAL DISTRICT COURT, ERNAKULAM.

.....

APPELLANT/PLAINTIFF:

ISMART BUSINESS SOLUTIONS PVT. LTD.,
PLOT NO.16 A, BLOCK B, CSEZ, KAKKANAD,
REPRESENTED BY ITS CHIEF FINANCIAL OFFICER &
COMPANY SECRETARY, MR.D.K. SUNDARAN.

BY ADVS.SRI.V.M.KURIAN,
SRI.MATHEW B. KURIAN,
SRI.K.T.THOMAS.

RESPONDENTS/DEFENDANTS:

----

1. **G.K. MOHAN,**
   PRESENTLY RESIDING AT FLAT NO.
   204, GOVIND APARTMENTS,
   KALATHIPARAMBIL ROAD,
   KOCHI-682 016.

2. **BIJU SEBASTIAN,**
   S/O.K.S. SEBASTIAN,
   PRESENTLY RESIDING AT KAINIKKARA-53,
   WARD NO.12, NO.637, I.E. NAGAR. P.O,
   CHANGANASSERY, KOTTAYAM DISTRICT.

3. **STEVE DECROUEBELE, A BELGIUM NATIONAL,**
   HAVING HIS ADDRESS AT "LENTHAPARAMBIL", 37/3112,
   FRIENDS LANE, PONNOTH ROAD, COCHIN-17.

4. **MRS.AMBIKA MOHAN, W/O.G.K. MOHAN,**
   PRESENTLY RESIDING AT FLAT NO.204,
   GOVIND APARTMENTS, KALATHIPARAMBIL ROAD,
   OCHIN-16.

5. M/S.B.D. TECH PVT. LTD.,
A REGISTERED COMPANY HAVING ITS REGISTERED OFFICE AT "LENTHAPARAMBIL", 37/3112, FRIENDS LANE, PONNOTH, ROAD, COCHIN-17.

R1, R2, R4 & R5 BY ADVS. SRI.A.K.SRINIVASAN,
SRI.N.S.MOHAMMED USMAN,
SRI.A.S.BENOY.

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rs.

P.B.SURESH KUMAR, J.

= = = = = = = = = = =

R.F.A.No.98 of 2010.

= = = = = = = = = = =

Dated this the 16th day of June, 2015.

J U D G M E N T

It is seen that the first respondent in the appeal died on 14.8.2010. It is also seen that the appellant was though given time to implead the legal representatives of the first respondent, steps are not taken till date to implead the legal representatives of the deceased first respondent. The appeal, in the above circumstance, is dismissed for default.

Sd/-
P.B.SURESH KUMAR,
(JUDGE)

Kvs/-

// true copy //

PA TO JUDGE.