

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS**

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

RFA.No. 349 of 2010

**AGAINST THE JUDGMENT IN O.S.No.507/2007 OF ADDITIONAL SUB COURT, NORTH
PARAVUR DATED 31-10-2009**

APPELLANTS/DEFENDANTS :-

- 1. M/S.FALCON INFRASTRUCTURES LTD.,
PUTHIYA ROAD JUNCTION, ELOOR ROAD, ELOOR,
ELOOR VILLAGE, ERNAKULAM DISTRICT.**
- 2. MOHAMMEDKUTTY.N.A @ MAMMOOTTY,
MANAGING DIRECTOR, M/S.FALCON INFRASTRUCTURES LTD.,
PUTHIYA ROAD JUNCTION, ELOOR ROAD, ELOOR,
ELOOR VILLAGE, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.JOHN BRITTO
SRI.C.A.RAJEEV**

RESPONDENT/PLAINTIFF :-

**C.M.POCKER, S/O.MAMUKOYA,
CHINGAMPUNATHIL HOUSE,
NORTH KALAMASSERY, ELOOR ROAD,
THRIKKAKARA NORTH VILLAGE,
KANAYANNUR TALUK,
ERNAKULAM.**

R BY ADV. SRI.T.K.VENUGOPALAN

**THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD
ON 07-07-2015, ALONG WITH RFA. 470/2010, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

THOTTATHIL B.RADHAKRISHNAN

&

SUNIL THOMAS, JJ.

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R.F.A.Nos.349 & 470 of 2010

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Dated this the 7th day of July, 2015

JUDGMENT

Thottathil B.Radhakrishnan, J.

These appeals arise from O.S.Nos.507 and 508 of 2007 of the Additional Sub Court, North Paravur. Parties have settled the litigations through mediation. Mediation settlement agreement dated 23.06.2015 is recorded and decrees are passed in both the suits in supersession of the decrees of the trial court, in terms of mediation settlement agreement. This judgment along with the mediation settlement agreement will be treated as decree in both the suits for all intents and purposes. Refund court fee paid on both the appeals to the respective learned counsel appearing for the appellants.

2. In terms of the mediation settlement as approved as part of this judgment, the appellants are entitled to get back the fixed deposit receipts as stated in Clause 4 of the memorandum of settlement.

The Rent Control Court, North Paravur will also go by the settlement recorded in Clause 3 of the mediation settlement. It is so ordered.

The appeals are ordered accordingly.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
JUDGE

Sd/-

SUNIL THOMAS
JUDGE

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