

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

RFA.No. 668 of 2010 ()

AGAINST THE ORDER/JUDGMENT IN OS 120/2007 of PRINCIPAL SUB
COURT, NORTH PARAVUR DATED 19.06.2010

APPELLANT(S)/PLAINTIFF:

-
- MUHAMMED SALIH, S/O.SAIDU MUHAMMED,
PUTHIYAVEETIL, SREEMOOLANAGARAM KARA,
CHOWARA VILLAGE, ALUVA TALUK,
* [REPRESENTED BY ITS POWER OF ATTORNEY HOLDER
RAHIMA SALIH (WIFE)]
- * [NEW POWER OF ATTORNEY HOLDER RECORDED.
SRI.P.S.SIDHEEKUL AKBAR, S/O.SAIDUMUHAMMED,
AGED 43 YEARS, PUTHIYAVEETIL HOUSE,
KALOOR P.O., COCHIN-17 IS RECORDED AS THE PRESENT
POWER OF ATTORNEY HOLDER OF APPELLANT/PLAINTIFF VIDE
ORDER/JUDGMENT DATED 19.08.15 IN I.A.1610/15
IN RFA 668/10]

BY ADVS.SMT.ASHA B.MATHEW
SRI.K.C.GINEEB

RESPONDENT(S)/DEFENDANT:

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1. UMMER, S/O.MUHAMMED, PULICKAL VEETIL, (DIED)
SREEMOOLANAGARAM KARA, CHOWARA VILLAGE,
ALUVA TALUK, PIN - 683 571.
- *ADDL.R2. USUNU UMMER, W/O.LATE UMMER,
AGED 55 YEARS, PULICKAL HOUSE,
SREEMOOLANAGARAM KARA,
CHOWARA VILLAGE, ALUVA - 683 580.
- *ADDL.R3. MUHAMMED RAFEEQUE P.U., S/O.LATE UMMER,
AGED 34 YEARS, PULICKAL HOUSE,
SREEMOOLANAGARAM KARA,
CHOWARA VILLAGE, ALUVA - 683 580.
- *ADDL.R4. REGIMON P.U., S/O.LATE UMMER,
AGED 32 YEARS, PULICKAL HOUSE,
SREEMOOLANAGARAM KARA,
CHOWARA VILLAGE, ALUVA - 683 580.

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*ADDL.R5. RAMEENA HANZAL, D/O.LATE UMMER,
AGED 29 YEARS, PULICKAL HOUSE,
SREEMOOLANAGARAM KARA,
CHOWARA VILLAGE, ALUVA - 683 580.

*ADDL.RESPONDENT NOS.2 TO 5 ARE IMPEADED AS LEGAL HEIRS OF
DECEASED SOLE RESPONDENT AS PER ORDER DATED 03.09.2014 IN
I.A.NO.2051 OF 2014.

ADDL.R2 TO ADDL.R5 BY ADV. SRI.BIJU ABRAHAM

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

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RFA No.668 of 2010
and
I.A.No.1610 of 2015
.....

Dated this the 19th day of August, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

The captioned interlocutory application is allowed.

Mediation settlement agreement dated 19.06.2015 is recorded. The appeal is dismissed as withdrawn in terms of the mediation settlement agreement. The mediation settlement agreement along with this judgment will be treated as decree for all intents and purposes. Drafting of separate decree is dispensed with. Let the original power of attorney be returned, if the petitioner provides requisite copy thereof. Refund the court fee paid on this appeal to the appellant, through his learned counsel. Attachment, if any, by this Court or the court below shall stand lifted hereby.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)