

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

RFA.No. 989 of 2012

AGAINST THE JUDGMENT IN OS 180/2009 of ADDL.SUB COURT, KOTTAYAM DATED 18-01-2012

APPELLANT/DEFENDANT:

CHACKO P. ABRAHAM
AGED 55 YEARS, S/O.P.ABRAHAM, PALLIKIZHAKKETHIL HOUSE
MATHUMoola, VAZHAPPALLY EAST VILLAGE
CHANGANACHERRY TALUK, KOTTAYAM.

BY ADV. SRI.C.S.SUNIL

RESPONDENT/PAINTIFF:

DR. AJITH G. KURUP, AGED 37 YEARS
S/O.S.GOPINATHAKURUP, ANILALAYAM HOUSE
CHINGAVANAM KARA, NATTAKOM VILLAGE, KOTTAYAM TALUK - 686 013.

R BY ADV.SRI.V.B.PREMACHANDRAN
R BY ADV.SRI.K.N.GOVINDANKUTTY MENON

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 20-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.A.No.989 of 2012

Dated this the 20th day of November, 2015

JUDGMENT

Antony Dominic, J.

This appeal is filed by the defendant in O.S.180/09 on the file of the Additional Sub Court, Kottayam. He is challenging the judgment and decree dated 18.1.2012. By order dated 12th October 2015, the appeal was referred for mediation at the District Mediation Centre, Kottayam. Accordingly, the dispute was mediated at the District Mediation Centre, Kottayam and the parties have entered into memorandum of agreement dated 4th November, 2015, whereby they have settled the disputes amicably.

In view of the settlement thus arrived at between the parties, this appeal is disposed of directing that the judgment and decree will stand modified in terms of the memorandum of settlement dated 4.11.2015. The appellant will also be entitled to refund of the court fee paid in the appeal. Memorandum of agreement dated 4th November, 2015 will form part of the judgment.

SD/-
ANTONY DOMINIC
JUDGE

SD/-
P.V.ASHA
JUDGE

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