

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

RFA.No. 663 of 2011 ()

AGAINST THE JUDGMENT IN OS NO.9/2009 of SUB COURT, VADAKARA DATED 22-06-2011

APPELLANT/DEFENDANT:

MEERA K.V, D/O. KUNHIKANNAN,
AGED 62 YEARS, PENSIONER, RESIDING AT PADANNAYIL
PAVANGAD, POST PUTHIYANGADI, NEAR SEENA PLASTICS
KOZHIKODE DISTRICT.

BY ADVS.SRI.P.V.KUNHIKRISHNAN
SRI.HANSON.P.MATHEW

RESPONDENT/PLAINTIFF:

SATHEESAN K.V, S/O. KUNHIKANNAN,
AGED 59 YEARS, TEACHER,
RESIDING AT KARIMBANA VAYALIL,
PUDUPPANAM AMSOM AND DESOM, POST PUDUPPANAM
VADAKARA TALUK, KOZHIKODE DISTRICT-673 105.

THIS REGULAR FIRST APPEAL HAVING COME UP FOR ADMISSION ON 12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.N.RAVINDRAN & ANIL K.NARENDRAN, JJ.

R.F.A. No.663 of 2011

Dated this the 12th day of February, 2015

J U D G M E N T

P.N.Ravindran, J.

The appellant is the defendant in O.S.No.9 of 2009 on the file of the Court of the Subordinate Judge of Vadakara. The sole respondent is the plaintiff therein. The suit instituted by the respondent/plaintiff for partition of the plaint schedule property into 15 equal shares and allotment of 13 such shares to him and 2 shares to the appellant was decreed after trial by judgment delivered on 22.6.2011 and a preliminary decree for partition was passed. The defendant has aggrieved thereby filed this appeal.

When this appeal came up for hearing today, Sri.P.V.Kunhikrishnan, learned counsel appearing for the appellant submitted that after the appeal was filed a final decree for partition was also passed, that the parties have settled their disputes and differences and therefore, the appellant is not desirous of prosecuting the appeal any further. In the light of the aforesaid submission, the appeal is dismissed as not pressed.

**P.N.RAVINDRAN,
(JUDGE)**

**ANIL K.NARENDRAN,
(JUDGE)**

vps