

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:

THE HONOURABLE MR.JUSTICE ANTONY DOMINIC
&
THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

RFA.No. 827 of 2013 ()

AGAINST THE JUDGMENT IN OS 774/2011 of I ADDL.SUB COURT, KOZHIKODE
DATED 30-07-2013

APPELLANTS/DEFENDANTS 1 TO 3:

1. BLUE DART EXPRESS LIMITED
BLUE DART CENTRE, SAHAR AIRPORT ROAD
ANDHERI (EAST) MUMBAI 400 099 REPRESENTED BY
ITS AUTHORISED SIGNATORY MANOJ C.N
2. BRANCH MANAGER
BLUE DART EXPRESS LIMITED, PKC BUILDING,
T.D.ROAD, KOCHI 682035
3. BRANCH MANAGER
BLUE DART EXPRESS LIMITED, GROUND FLOOR, BEACH COMPLEX
SILK STREET, KALATHINKUNNU AMSOM AND DESOM
KOZHIKODE 673 032

BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SHUBHA ABRAHAM
SMT.SUNANDA SUKUMARAN
SMT.N.ASWATHY
SMT.K.R.MONISHA

RESPONDENTS/PLAINTIFF-4TH DEFENDANT:

1. VNM JEWEL CRAFTS LIMITED
REGD OFFICE BOULEVARD ROAD, MANJAKKAL
MAHE 673 310 CUSTOMER CARE CENTRE 10/996 VENKATESH AVENUE
PALAYAM ROAD, KOZHIKODE 673 001 REPRESENTED BY ITS
AUTHORISED REPRESENTATIVE SOORAJ A.P(MANAGER)
AGED 32 YEARS S/O.SADANANDAN A RESIDING AT PAREKKATIL HOUSE
PARAMBIL POST, KOZHIKODE, KURUVATOOR VILLAGE
KURUVATOOR AMSOM AND DESAM, KOZHIKODE TALUK

2. THE NEW INDIA ASSURANCE CO LTD
CITY BRANCH NO 1, FAIR MOUNT BUILDING 2ND FLOOR
ERANHIPALAM, KOZHIKODE
KACHERI AMSOM AND DESOM KOZHIKODE TALUK
REPRESENTED BY ITS BRANCH MANAGER 673 011

R1 BY ADV. SRI.NIRMAL. S
R2 BY ADV. SRI.KKM.SHERIF
R2 BY ADV. SRI.LAL K.JOSEPH
R2 BY ADV. SRI.A.A.ZIYAD RAHMAN

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON
17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:
RKC

**ANTONY DOMINIC &
P.V.ASHA, JJ.**

R.F.A.No.827 of 2013

Dated this the 17th day of November, 2015

JUDGMENT

Antony Dominic, J.

This appeal is filed by defendants 1 to 3 challenging the judgment and decree passed by the 1st Additional Sub Court, Kozhikkode in O.S.No.774 of 2011. By order dated 19.10.2015 the appeal was referred for mediation. Accordingly the dispute has mediated at the Ernakulam Mediation Centre (High Court) and parties have entered into agreement dated 9.11.2015 settling the dispute entirely. In view of the settlement thus arrived at, this appeal is disposed of, directing that the decree will stand modified in terms of the mediation agreement dated 9.11.2015. The appellant will also be entitled to refund of the court fee paid on the appeal.

Sd/-
**ANTONY DOMINIC,
JUDGE.**

Sd/-
**P.V.ASHA,
JUDGE.**

rkc