

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 21ST DAY OF OCTOBER 2015/29TH ASWINA, 1937

R.F.A.No. 126 of 2015

AGAINST THE JUDGMENT IN OS 867/2012 of III ADDL. SUB COURT, KOZHIKODE, DATED 19-08-2014

APPELLANT/DEFENDANT:

SWARGACHITHRA PROPERTY DEVELOPERS (P) LTD.
REPRESENTED BY ITS MANAGING DIRECTOR, P. D. ABRAHAM,
DOOR NO.5/2486, PINAKKAT HOUSE, BANK ROAD (P.O)
KASBA, KOZHIKODE.

BY ADVS.SRI.JESWIN P.VARGHESE
SMT.G.VIDYA

RESPONDENT/PLAINTIFF:

K.DINESAN, AGED 42 YEARS,
S/O.NARAYANAN, MAHESWARI, BHAGAVATHI THARA
KALLAI P.O, PANNIYANKARA, KOZHIKODE 673 003.

R1 BY ADV. SRI.N.M.MADHU
R1 BY ADV. SMT.C.S.RAJANI

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 21-10-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC & P.V.ASHA, JJ.

R.F.ANo.126 of 2015

Dated this the 21st day of October, 2015

JUDGMENT

Antony Dominic, J.

This appeal is filed by the defendant in O.S.867/12 on the file of the Sub Court, Kozhikode calling in question judgment and decree dated 19.8.2014. By order dated 17.8.2015, the dispute was referred for mediation at the District Mediation Centre, Kozhikode. On mediation as above, the parties have settled their disputes and have entered into memorandum of agreement, dated 16.9.2015.

2. In view of the above, this appeal is disposed of directing that the parties will be governed by the terms of the memorandum of agreement and that the decree will stand modified accordingly. Memorandum of agreement will form part of this judgment.

Appellant will be entitled to refund of the court fee paid on the appeal.

Sd/-
ANTONY DOMINIC
JUDGE

Sd/-
P.V.ASHA
JUDGE

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