

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

RP.No. 78 of 2015 (N) IN WP(C).35335/2014

AGAINST THE JUDGMENT IN WP(C) 35335/2014 of HIGH COURT OF KERALA
DATED 7.1.2015

REVIEW PETITIONER(S)/PETITIONER :-

SHIBY VARGHESE, AGED 35 YEARS,
S/O.GEEVARGHESE, ERUMALA, EUUKNNAM KARA
ASAMANNUR VILLAGE, KUNNATHUNADU TALUK
ERNAKULAM DISTRICT - 683 549.

BY ADVS.SRI.C.AJITH KUMAR (KALLESSERIL)
SRI.C.Y.VINOD KUMAR

RESPONDENT(S)/RESPONDENTS :-

1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT
HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001.
2. THE DEPUTY SUPERINTENDENT OF POLICE
RURAL, ALUVA, ERNAKULAM DISTRICT - 683 101.
3. THE SUB INSPECTOR OF POLICE
KURUPPAMPADY POLICE STATION, ERNAKULAM DISTRICT - 683 549.
4. E.J.JOHN
S/O.OUSEPH, ERUMALA, EKKUNNAM KARA
ASAMANNUR VILLAGE, KUNNATHUNADU TALUK
ERNAKULAM DISTRICT - 683 549.
5. ELIAMMA JOHN
W/O.E.T.JOHN, ERUMALA, EKKUNNAM KARA
ASAMANNUR VILLAGE, KUNNATHUNADU TALUK
ERNAKULAM DISTRICT. 683 549.

R4 BY ADV. SRI.V.RAJENDRAN (PERUMBAVOOR)

SRI.GEORGE VARGHESE KIZHAKKAMBALAM

R1-R3 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 03-03-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

R.P. No.78 of 2015

in

W.P.(C) No.35335 of 2014

Dated this the 3rd day of March 2015

ORDER

Ashok Bhushan, Ag.CJ

This review petition has been filed by the petitioner praying for recalling the judgment dated 7.1.2015 passed in W.P.(C) No.35335 of 2014.

2. Learned counsel for the review petitioner submits that there was no civil dispute between the parties nor a decree was passed and that due to some mistake, the said fact has been informed to the court by the learned Government Pleader, which has been recorded in the last paragraph of the said judgment.

3. Learned Government Pleader submits that due to inadvertent mistake, it has been submitted that there has been civil dispute between the parties and a decree has been passed. It is submitted that the issue was between the petitioner's father and the private respondents.

We find sufficient ground to recall the judgment. Hence, the review petition is allowed. The judgment dated

R.P. No.78 of 2015 in
W.P.(C) No.35335 of 2014

-: 2 :-

7.1.2015 passed in W.P.(C) No.35335 of 2014 is recalled for
hearing the matter again.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

//TRUE COPY//

P.A. TO JUDGE

Jvt