

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR
&

THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

RFA.No. 250 of 2014 ()

AGAINST THE JUDGMENT IN OS 67/2011 of SUB COURT, PALA DATED
26-06-2012

APPELLANT/PLAINTIFF:

ANNAKUTTY JOSEPH
AGED 83 YEARS, W/O.K.K. JOSEPH, KOKKATTU HOUSE
MALLIKASSERY KARA, ELIKULAM VILLAGE
KANJIRAPPALLY TALUK
NOW RESIDING WITH DR. SAJU JOSEPH PROVIDENCE
OPPOSITE HOTEL ELEGANCE, KARUKUTTY, ANGAMALY - 683 576.

BY ADVS.SRI.A.K.JAYAPRAKASH
SRI.GIGIMON ISSAC

RESPONDENTS/DEFENDANTS:

1. LALY KURUVILA
AGED ABOUT 63 YEARS, W/O. K.J. KURUVILA
KOKKATTU HOUSE, MALLIKASSERY KARA, ELIKULAM VILLAGE
KANJIRAPALLY TALUK - 686 577.

2. DR. JOSE KURUVILA
AGED ABOUT 33 YEARS, S/O. . K.J. KURUVILA
KOKKATTU HOUSE, MALLIKASSERY KARA, ELIKULAM VILLAGE
KANJIRAPALLY TALUK - 686 577.

3. ANJU NEERAJ
AGED ABOUT 40 YEARS, D/O. K.J. KURUVILA
KOKKATTU HOUSE, MALLIKASSERY KARA, ELIKULAM VILLAGE
KANJIRAPALLY TALUK - 686 577.

4. ELSA MARY
AGED ABOUT 30 YEARS, D/O. K.J. KURUVILA
KOKKATTU HOUSE, MALLIKASSERY KARA, ELIKULAM VILLAGE
KANJIRAPALLY TALUK - 686 577.

5. ANIAMMA GEORGE @ ANU GEORGE,
AGED ABOUT 53 YEARS, W/O. K.J. GEORGE
KANICHA PALAYAMPARAMBU P.O.
THRISSUR DISTRICT - 680 741.

6. SHEELAMMA JOSEPH @ SHEELAMMA SAJU
AGED ABOUT 49 YEARS, W/O.DR. SAJUY JOSEPH PROVIDENCE
OPPOSITE HOTEL ELEGANCE, KARUKUTTY
ANGAMALY - 683 576.

7. THE MEENACHIL EAST URBAN CO-OPERATIVE BANK LIMITED
POONJAR, REPRESENTED BY ITS MANAGING DIRECTOR
POONJAR KARA, POONJAR P.O., POONJAR THEKKEKARA VILLAGE
MEENACHIL TALUK - 686 581. (DELETED)

8. THE MEENACHIL EAST UBRAN CO-OPERATIVE BANK LI ITED
PINNACKANADU BRANCH
REPRESENTED BY ITS BRANCH MANAGER, PINNAKANADU P.O.
MEENACHIL TALUK - 686581. (DELETED)

* RESPONDENTS 7 AND 8 DELETED AS PER ORDER DATED 10.07.2015 IN
I.A.NO.713/2015.

R5-R6 BY ADV. SRI.BABY THOMAS
R7 & 8 BY ADV. SRI.SHAJI THOMAS PORKKATTIL
R7 & 8 BY ADV. SRI.N.NAGARESH
R7 & 8 BY ADV. SRI.BINU PAUL
R7 & 8 BY ADV. SRI.T.V.VINU
R1-R4 BY ADV. SRI.P.C.HARIDAS

THIS REGULAR FIRST APPEAL HAVING COME UP FOR ADMISSION ON
10-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAMACHANDRAN NAIR &
K.P.JYOTHINDRANATH, JJ.**

R.F.A.No.250 OF 2014

Dated this the 10th day of July, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed by the plaintiff in O.S.No.67/2011 on the file of the Subordinate Judge's Court, Pala. During the pendency of this appeal, the disputes between the parties have been settled and I.A.No.712/2015 has been filed under Order XXIII Rule 3 of Code of Civil Procedure.

2. We heard the learned counsel on both sides.

It is prayed that the appeal may be disposed of in terms of the settlement arrived at between the parties. The appeal is disposed of as settled and the terms of settlement will form part of the judgment and decree. The parties will suffer their costs in the appeal.

T.R.RAMACHANDRAN NAIR, JUDGE

K.P.JYOTHINDRANATH,JUDGE

SV.