

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. 357 of 2014 ()

AGAINST THE JUDGMENT IN OS 250/2008 of PRINCIPAL SUB COURT,ATTINGAL
DATED 16-08-2012

APPELLANT/1ST DEFENDANT:

STATE BANK OF TRAVANCORE
KILIMANOOR BRANCH, KILIMANOOR
TRIVANDRUM REPRESENTED BY ITS BRANCH MANAGER.

BY ADVS.SRI.R.S.KALKURA
SMT.R.BINDU
SMT.A.V.PRIYA
SRI.HARISH GOPINATH
SMT.M.K.LEELAKUMARI
SRI.JOHNSON JOSE PANJIKKARAN
SRI.SANIL KUNJACHAN
SRI.K.KURIAN KOSHY

RESPONDENTS/PLAINTIFF AND 2ND DEFENDANT:

1. JAYACHANDRAN NAIR, AGED 56 YEARS
S/O. KRISHNA PILLAI, K.K.HOUSE, PULIMATH
PULIMATH VILLAGE, CHIRAYINKEEZH TALUK
TRIVANDRUM DISTRICT-695612.

2. UNITED INDIA INSURANCE COMPANY LTD.
ATTINGAL BRANCH, ATTINGAL
REPRESENTED BY ITS BRANCH MANAGER, ATTINGAL
TRIVANDRUM-695101.

R1 BY ADV. SRI.SAJU.S.A
R2 BY ADV. SRI.T.J.LAKSHMANAN IYER

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD 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.357 OF 2014

Dated this the 10th day of July, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is from the judgment and decree in O.S.No.250/2008 on the file of the Subordinate Judge's Court, Attingal. The appellant is the first defendant in the suit. During the pendency of the appeal, the disputes between the parties have been settled through mediation. The learned Mediator has produced the mediation settlement agreement.

2. It is submitted by the learned counsel for the appellant that the settlement between the appellant and the first respondent alone was necessary and the Insurance Company is not required to be involved.

We dispose of the appeal as settled and the terms of settlement will form part of the judgment and decree. The court fee paid on the memorandum of appeal will be refunded to the appellant.

T.R.RAMACHANDRAN NAIR, JUDGE

SV.

K.P.JYOTHINDRANATH, JUDGE