

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 12TH DAY OF JUNE 2015/22ND JYAISHTA, 1937

RP.No.501 of 2015
IN WA.719/2015

AGAINST THE JUDGMENT IN WA 719/2015 of HIGH COURT OF KERALA
DATED 22-05-2015

REVIEW PETITIONER/APPELLANT:

P.K.SAYED MOHAMMED, AGED 59 YEARS
S/O.KUNJALLU, PADIKKAMATTATHIL, MYLOOR
PALLIARIMANGALAM P.O., KOTHAMANGALAM -686 671.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS/RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS SECRETARY, VYDHUTHI BHAVAN
THIRUVANANTHAPURAM - 695 001
2. THE EXECUTIVE ENGINEER
ELECTRICAL DIVISION, KERALA STATE ELECTRICITYBOARD
MOOVATTUPUZHA - 686 661.
3. THE ASSISTANT EXECUTIVE ENGINEER
ELECTRICAL SUB DIVISION
KERALA STATE ELECTRICITYBOARD
MUVATTUPUZHA - 686 661.
4. THE ASSISTANT ENGINEER
ELECTRICAL SECTION, KERALA STATE ELECTRICITY BOARD
POTHANICADU - 686 671.

BY SRI.JAICE JACOB,SC,KERALA STATE ELECTRICITY BOARD

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
12-06-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**P. R. RAMACHANDRA MENON
&
BABU MATHEW P. JOSEPH, JJ.**

Review Petition No.501 of 2015 in
W. A. No.719 of 2015

Dated this the 12th day of June, 2015

ORDER

P. R. Ramachandra Menon, J.

After hearing the learned counsel for the review petitioner and after going through the materials on record, this Court finds that there is no error apparent on the face of record so as to invoke the power of review. None of the grounds raised is held as tenable. The verdict was passed granting the benefit of instalment so as to liquidate the liability.

2. Learned Standing Counsel for the Board submits that no interest was being charged and that only the principal amount was sought to be realised which in turn was ordered permitting the appellant to liquidate the liability in a phased manner. This was on the basis of the submission made on

behalf of the learned counsel for the appellant. The scope of review is not liable to be misconceived as a substitute for appeal in view of the law declared by the Apex Court in *Meera Bhanja v. Nirmala Kumari Choudhary (AIR 1995 SC 455)*. We decline interference and the R.P. is dismissed accordingly. It is made clear that if the review petitioner has got a case that they have been given the benefit of instalment by the Board, this verdict will not stand in the way of the review petitioner/appellant for claiming such benefit. If the Board has given more number of instalment to the appellant, it is open for the appellant to accept such facility and liquidate the liability.

Sd/-

P. R. RAMACHANDRA MENON
JUDGE

Sd/-

BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE

