

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

R.P.No.945 of 2015 (V) IN WP(C).19505/2007

AGAINST THE ORDER/JUDGMENT IN WP(C) 19505/2007 OF HIGH COURT OF KERALA
DATED 2-2-2015

REVIEW PETITIONER :

THE ASST.ENGINEER,
ELECTRICAL SECTION KSE BOARD, BALUSSERY, KOZHIKODE.

BY ADV. SMT.P.K.RADHIKA-KSEB

RESPONDENT :

K.M.FAIZAL,
S/O.IBRAHIM, KIZHAKKEMADATHIL HOUSE, PO BALUSSERY,
KOZHIKODE DISTRICT,
PROPRIETOR-M/S. V.K BROTHERS AND OIL MILLS,
THAKKATTISSERY, KOOTALIDA, CALICUT.

BY ADV. SRI.ZUBAIR PULIKKOOL

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 19-11-2015, THE
COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANIL K.NARENDRA, J.

R.P.No.945 of 2015
in
W.P.(C)No.19505 of 2007

Dated this the 19th day of November, 2015

ORDER

This review petition is filed by the petitioner, who was the sole respondent in W.P.(C)No.19505 of 2007, seeking an order to review the judgment dated 2.2.2015 in the said Writ Petition.

2. The Writ Petition was disposed of on 2.2.2015 recording the submission made by the learned counsel for the writ petitioner that the writ petitioner has complied with the condition stipulated in order dated 26.6.2007 by remitting ₹50,000/- and that the balance amount demanded in Exts.P1 and P2 has also been paid subsequently.

3. Later it was found that, though the writ petitioner has complied with the condition stipulated in the interim order, the balance amount demanded in Exts.P1 and P2 was never paid. It was in such circumstances, this Review Petition was filed seeking an order to review the judgment dated 2.2.2015.

4. Heard the learned Standing Counsel for the review petitioner/ respondent and Sri.Zubair Pulikool, the learned counsel for the respondent/writ petitioner.

5. The learned counsel for the respondent/writ petitioner submitted that, the writ petitioner has not remitted the balance amount demanded in Exts.P1 and P2 and that the submission made before this Court on 2.2.2015 by the learned counsel who represented the writ petitioner was by an inadvertant mistake.

6. Since there is an error apparent on the face of the record, the judgment dated 2.2.2015 in W.P.(C)No.19505 of 2007 is liable to be recalled. In the result, this Review Petition is allowed and the judgment dated 2.2.2015 in W.P.(C)No.19505 of 2007 is recalled.

Registry to post the Writ Petition before appropriate Bench, as per roster.

Sd/-

ANIL K.NARENDRAN, JUDGE

skj