IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

TUESDAY, THE 22ND DAY OF DECEMBER 2020 / 1ST POUSHA, 1942

RP.No.972 OF 2020 IN Arb.A. 11/2020

AGAINST THE JUDGMENT IN Arb.A 11/2020 DATED 19.06.2020 OF HIGH COURT OF KERALA

REVIEW PETITIONER/APPELLLANTS:

1 SANKARANKUTTY V.R.
AGED 72 YEARS
HARISREE, VALLOMPARAMBIL HOUSE,
ARAMKALLU,
PIPELINE ROAD, TMC 12/587,
PATTIKKAD P.O., THRISSUR,
PIN - 680 652.

2 K.P.NARAYANIKUTTY
AGED 70 YEARS
HARISREE, VALLOMPARAMBIL HOUSE, ARAMKALLU,
PIPELINE ROAD, TMC 12/587,
PATTIKKAD P.O., THRISSUR,
PIN - 680 652.

BY ADVS.
SRI.K.S.BHARATHAN
SRI.ABEL ANTONY
SRI.CHRISTINE MATHEW

RESPONDENTS/RESPONDENTS:

1 THE DEPUTY COLLECTOR
SLAO AND CALA, NHDP, THRISSUR,
PIN - 620 680.

2 THE PROJECT DIRECTOR
NATIONAL HIGHWAY AUTHORITY OF INDIA (NHAI),
PALAKKAD, PIN - 678 007.

BY ADV.
SRI. BIDAN CHANDRAN - SC

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 22.12.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

O R D E R

This petition has been filed by the petitioner seeking review of the judgment in Arbitration Appeal No.11 of 2020, on the ground that, when submissions were made at the time when the judgment in question was delivered, it had been omitted to be brought to the notice of this Court that the petitioners are also entitled to other statutory amounts, apart from solatium and interest.

2. However, in response to the afore submissions of Sri.K.S.Bharathan - the learned counsel for the petitioners, Sri.Bidan Chandran – the learned Standing Counsel for the respondents, submitted that; for the first, this review petition is not maintainable, since the judgment arises from an Arbitration appeal; and for the second, that, in any event of the matter, this petition cannot be considered by this Court, since the District Court, on 22.10.2020, has already passed orders in terms of the judgment in question.

I find substantial force in the submissions of Sri.Bidan Chandran, and I am of the view that it will not be justified for

this Court, to entertain this petition at this time, particularly when the learned District Court has already issued a judgment in terms of the direction of this Court.

Consequently, this review petition will stand dismissed, however without any order as to costs.

Sd/-
DEVAN RAMACHANDRAN
JUDGE

VPK