IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A. BADHARUDEEN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

RFA NO. 870 OF 2013

AGAINST THE DECREE AND JUDGMENT DATED 31.07.2013 IN O.S.NO.97/2010 ON THE FILES OF THE SUB COURT, THODUPUZHA

APPELLANT/DEFENDANT:

BINU K.S.
AGED 35 YEARS,
S/O SUKUMARAN, KARAKUNATHU HOUSE, KOLAPRA KARA, KUDAYATHOOR VILLAGE, THODUPUZHA, IDUKKI

RESPONDENT/PLAINTIFF:

K.K.SIVAN
AGED 49 YEARS, S/O KUMARAN, KOLLIYIL HOUSE, ARAKULAM KARA, ARAKULAM VILLAGE, THODUPUZHA, IDUKKI, PIN-685585

BY ADV SRI.C.K.VIDYASAGAR

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 10th day of April, 2025

This regular first appeal has been filed under Section 96 read with Order XLI Rule 1 of the Code of Civil Procedure, 1908, challenging the decree and judgment in O.S. No.97 of 2010 and on the files of the Sub Court, Thodupuzha. The appellant herein is the defendant and the respondent is the plaintiff in the above suit.

2. In this case, Adv.L.Rajesh Narayan Iyer, who earlier filed vakalath for the appellant already relinquished the vakalath, as submitted on 26.03.2025.

3. No fresh vakalath filed for the appellant so far and the appellant also called absent.

4. Since, the appellant is not intended to proceed with the appeal either in person or by appointing a fresh lawyer, this appeal could not be prosecuted. Hence, the regular first appeal stands dismissed for non prosecution.

All interlocutory applications pending in this regular first appeal stand dismissed.

Sd/-

A. BADHARUDEEN
JUDGE

SK