IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.SOMARAJAN

THURSDAY, THE 8TH DAY OF JUNE 2023 / 18TH JYAISHTA, 1945

OP(C) NO. 514 OF 2023

E.P.NO.358/2016 IN ARBITRATION CASE NO.108/2009 OF

ADDITIONAL DISTRICT COURT-I, KOTTAYAM

PETITIONER/JUDGMENT DEBTOR NO.1/1ST RESPONDENT:

SANTHOSH M.K.,
AGED 41 YEARS,
S/O KUNHUNNI, PANATHITTAYIL HOUSE,
SHANMUKHAPURAM, LALSALAM ROAD, PACHALAM,
ERNAKULAM – 682 012

BY ADVS.
P.SIVARAJ
M.MEHAR FARSANA

RESPONDENTS/DECREE HOLDER & JUDGMENT DEBTOR 2 AND 3/CLAIMANT & RESPONDENTS 2 AND 3:

1 MUTHOOT VEHICLE AND ASSET FINANCE LTD.,
MUTHOOT CHAMBERS, KURYAN TOWERS,
BANERJI ROAD, ERNAKULAM, KOCHI-682 018
REPRESENTED BY ITS POWER OF ATTORNEY HOLDER AND SENIOR BUSINESS EXECUTIIVE MR.GIRISHMON N.K., S/O KRISHNANKUTTY, AGED 44 YEARS, RESIDING AT NEDUMKALAYIL HOUSE, POOVAMTHURUTHU, PANACHIKKAD VILLAGE, KOTTAYAM TALUK.

2 MR. KUNJUNNI KUNJAN,
S/O KUNJAN, MOOLEPARAMBIL HOUSE,
KATTAMBAKK PO, NJEEHOOR, KADUTHURUTHY,
KOTTAYAM DISTRICT- 686 612

3 MR. AYOOD,
S/O MOIDEEN KUTTY,
NALUKANDATHIL HOUSE,
KARUKAPILLY, ELAMAKKARA PO,
ERNAKULAM- 682 028

BY ADV SABU S -FOR R1

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 08.06.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The matter has been settled in mediation. Hence, the original petition has become infructuous. The original petition will stand dismissed as infructuous.

Sd/-

P.SOMARAJAN

JUDGE

rkr-08/06

APPENDIX OF OP(C) 514/2023

PETITIONER EXHIBITS	
Exhibit P1	THE TRUE COPY OF THE EP NO.358/2016 FILED BY THE DECREE HOLDER IN ARBITRATION CASE NO.108/2009 BEFORE ADDITIONAL DISTRICT COURT-I, KOTTAYAM AND NOTICE TO THE PETITIONER HEREIN/RESPONDENT ISSUED BY THE ADDL. DISTRICT COURT-I, KOTTAYAM.
Exhibit P2	A TRUE COPY OF THE AWARD DATED 10.10.2009 PASSED BY THE SOLE ARBITRATOR IN ARBITRATION REFERENCE NO.108/2009 IN THE MATTER OF ARBITRATION AND CONCILIATION ACT, 1996.
Exhibit P3	A TRUE COPY OF THE SALE CERTIFICATE DATED 20.02.2020 ISSUED BY ADDL. DISTRICT JUDGE-I, KOTTAYAM.
Exhibit P4	A TRUE COPY OF THE EA NO.1/2021 IN EP NO.358/2016 IN ARBITRATION CASE NO.108/2009 FILED BEFORE THE ADDL. DISTRICT COURT-I, KOTTAYAM BY THE CLAIMANT / RESPONDENT.
RESPONDENTS EXHIBIT	NIL

TRUE COPY

P.A.TO JUDGE