

The Managing Director vs Ubaidulla

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Court : Kerala

Decided On : Mar-28-2025

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : RP/406/2025

Appellant : The Managing Director

Respondent : Ubaidulla

Judgement :

RP NO. 406 OF 2025 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS FRIDAY, THE 28TH DAY OF MARCH 2025 / 7TH CHAITHRA, 1947 RP NO. 406 OF 2025 AGAINST THE JUDGMENT DATED 21.02.2025 IN WP(C) NO.4767 OF 2025 OF HIGH COURT OF KERALA REVIEW PETITIONER/RESPONDENTS NOS.1 AND 2: 1 THE MANAGING DIRECTOR K.S.R.T.C. THIRUVANANTHAPURAM, PIN - 695001 2 THE DISTRICT OFFICER K.S.R.T.C., OPP: K.S.R.T.C. BUS STAND, PALAKKAD, PIN - 685584 BY ADV SRI.DEEPU THANKAN RESPONDENT/PETITIONER: UBAIDULLA AGED 40 YEARS S/O ABDUL HAMEED, PUTHUPALLISTREE, NURANI.P.O , PALAKKAD,

PIN - 678004 BY SRI.T.K.SANDEEP THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 28.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: RP NO. 406 OF 2025 2

ORDER

Dated this the 28th day of March, 2025 The review petition is filed to set aside the

2. The respondent had filed the writ petition

to direct the review petitioner to refund Rs.4,16,000/-, which was paid towards security deposit and EMD for a recalled tender. By the judgment dated 21.02.2025, this court allowed the writ petition and directed the review petitioner to pay the amount within 60 days. Subsequent to the judgment, the review petitioner found that the respondent had failed to pay Rs.10,777/- towards GST for the licence. Therefore, the said amount has to be

deducted from the total amount payable to the respondent. Hence, the review petitioner is only liable to pay Rs.4,05,223 and not Rs.4,16,000/- as directed in the judgment. Hence, the judgment may be recalled. RP NO. 406 OF 2025 3

2. Heard. The learned counsel for the review petitioner and the learned counsel for the respondent.

3. On a consideration of the facts and the

materials on record, I am of the view that the review petitioner is only liable to pay the admitted amount. Therefore, there is no necessity to set aside the judgment, instead, the review petitioner is directed to pay only the admitted amount of Rs.4,05,233/-. The review petition is disposed of with the above direction. This order shall be read in conjunction with the Sd/- C.S.DIAS JUDGE NAB

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