

Devanand (Died) vs Levi

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Court : Kerala Orders

Decided On : Apr-02-2025

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : RFA/539/2009

Appellant : Devanand (Died)

Respondent : LEVI

Judgement :

RFA NO. 539 OF 2009 1 2025:KER:29669

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
WEDNESDAY, THE 2ND DAY OF APRIL 2025 / 12TH CHAITHRA, RFA
NO. 539 OF 2009 AGAINST THE JUDGMENT DATED 15.10.2008 IN
O.S. NO.300 OF 2003 OF SUB COURT, THIRUVANANTHAPURAM
APPELLANT/PLAINTIFF: *1 DEVANAND (DIED)
S/O.MURALEEDHARAN NAIR, AGED 49 YEARS, RESIDING AT
'MURALIKA', PUSHPAGIRI, THYCAUD P.O., THIRUVANANTHAPURAM
*ADDL.A2 TO A4 IMPEADED ADDL.A2 RADHIKA K.S.,
W/O.DEVANAND, RESIDING AT 'MURALIKA',

*ADDL.A3 DEVIKA R.D., (REMOVED) *ADDL.A4 GOPIKA R.D.(MINOR) (REMOVED) AGED 17 YEARS, PUSHPAGIRI, THYCAUD P.O., THIRUVANANTHAPURAM, REPRESENTED BY HER MOTHER AND LEGAL GUARDIAN THE ADDITIONAL 2ND APPELLANT. *(LEGAL HEIRS OF THE DECEASED FIRST APPELLANT ARE IMPLEADED AS ADDITIONAL APPELLANTS 2 TO 4 AS PER ORDER DATED 31.10.14 IN I.A.NO.2398/14). *(ADDITIONAL APPELLANTS 3 AND 4 ARE REMOVED FROM THE PARTY ARRAY AS PER ORDER DATED 11.3.2025 IN I.A.NO.1/2025 IN RFA.NO.539/2009). BY ADV.SRI.R.S.KALKURA RESPONDENT/DEFENDANT: LEVI,S/O.ANTHROSE NADAR, 'LALITHA SADANAM',T.C.18/1247, THIRUMALA VILLAGE,THIRUVANANTHAPURAM. BY ADV.SRI.K.B.PRADEEP THIS REGULAR FIRST APPEAL HAVING COME UP FOR ORDERS 02.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: RFA NO. 539 OF 2009 2 2025:KER:29669

JUDGMENT

Dated this the 2nd day of April, 2025 This Regular First Appeal has been filed under Section 96 r/w Order XLI Rule 1 of the Code of Civil Procedure, 1908, by the appellant/plaintiff, seeking the following relief: To set aside the judgment dated 15.10.2008 in O.S.No.300/2003 on the file of the Subordinate Judges Court, Trivandrum and allow this appeal or remand the case for fresh trial and decision de novo.

2. When the matter came up for consideration, the learned counsel for the appellant submitted that this matter is not pressed and a memo to that effect has been filed.

3. Recording the said submission made by

the learned counsel for the appellant, this Regular First Appeal is dismissed as not pressed. Registry is directed to forward a copy of this RFA NO. 539 OF 2009 3 2025:KER:29669

judgment to the jurisdictional court, for information and

future guidance. Sd/- A.BADHARUDEEN JUDGE Bb

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