

Nalini vs Panchami

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Court : Kerala Orders

Decided On : Oct-30-2023

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : RSA/33/2022

Appellant : Nalini

Respondent : Panchami

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
MONDAY, THE 30TH DAY OF OCTOBER 2023 / 8TH KARTHIKA, 1945
RSA NO. 33 OF 2022 AGAINST THE JUDGMENT AND DECREE
DATED 18.01.2021 IN A.S.NO.03/2019 ON THE FILES OF THE
ADDITIONAL DISTRICT JUDGE-IIS COURT, ALAPPUZHA ARISING
FROM THE FINAL JUDGMENT AND DECREE DATED 14.08.2018 IN
I.A.NO.765/2015 (FINAL DECREE APPLICATION) IN O.S.NO.11/2013
ON THE FILES OF THE SUB JUDGES COURT, CHERTHALA
APPELLANTS/COUNTER PETITIONERS/DEFENDANTS: 1 NALINI
AGED 79 YEARS, W/O.DINAMANY, PUTHIYATTIL, 2 SAKUNTHALA
UNNI AGED 59 YEARS, VAIKOM POLICE QUARTERS FROM, 3

REMESAN AGED 56 YEARS, S/O.DINAMANY, PUTHIYATTIL, 4
PRAKASAN AGED 53 YEARS, S/O.DINAMANY, PUTHIYATTIL, 5
MAYA AGED 51 YEARS, W/O.DILEEP, KORMATHUSSERIL
(CHILAMBISSERIL), VAIKKATH PARAMBU WARD NO.8, MUHAMMA
PANCHAYATH FROM (BY ADV B.RAJEEV KOYICKAL) -
RELINQUISHED RESPONDENTS/PETITIONERS 2 TO 7/PLAINTIFFS
2 TO 7: 1 PANCHAMI AGED 86 YEARS, D/O.JANAKI, KOLLERI
VELIYIL, CHERTHALA SOUTH MURI, CHERTHALA SOUTH VILLAGE

FROM PUTHIYATTIL, THYCATTUSSERY MURI, THYCATTUSSERY
VILLAGE, CHERTHALA TALUK, 2 REMA AGED 70 YEARS,
D/O.MALATHY, KOLLERI VELIYIL, 3 RADHA AGED 68 YEARS,
D/O.MALATHY, MOHAN NIVAS, AALA VILLAGE, CHENGANNOR
TALUK FROM KOLLERI VELIYIL, 4 RENJINI AGED 63 YEARS,
D/O.KUMARAN, KOLLERI VELIYIL, 5 RAJITH AGED 60 YEARS,
S/O.KUMARAN, KOLLERI VELIYIL, 6 JYOTHI AGED 58 YEARS,
D/O.MALATHY, KOVATTIL, KURUMALLOOR P.O., ALUVA FROM
KOLLERI VELIYIL, BY ADVS. SHERRY J. THOMAS JOEMON ANTONY

THIS REGULAR SECOND APPEAL HAVING COME UP FOR
ADMISSION ON 30.10.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 30th day of October, 2023 This regular second appeal has been
filed under

order XLII Rule 1 read with Section 100 of the Code of Civil

Procedure to set aside decree and judgment in A.S. No.3 of 2019 dated
18.01.2021 on the files of the Court of the Additional District Judge-II, Alappuzha
arose from the final decree and judgment in I.A. No.765 of 2015 in O.S. No.11 of
2013 dated 14.08.2018 on the files of the Court of the Subordinate Judge,
Cherthala.

2. In this matter, the appellants and the counsel

called absent. Since, the appellants are found to be not interested to proceed with this appeal, the regular second appeal stands dismissed for non prosecution. Sd/-

A. BADHARUDEEN SK JUDGE

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