

Radhakrishnan vs Sumangala

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Court : Kerala Orders

Decided On : Jul-26-2019

Judge : Honourable Mr.Justice a.M.Shaffique,Honourable Mr.Justice N.Anil Kumar

Appeal No. : Mat.Appeal/783/2012

Appellant : Radhakrishnan

Respondent : Sumangala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE A.M.SHAFIQU & THE HONOURABLE MR.JUSTICE N.ANIL KUMAR FRIDAY, THE 26TH DAY OF JULY 2019 / 4TH SRAVANA, 1941 Mat.Appeal.No.783 of 2012 AGAINST THE ORDER IN OA 959/2011 of FAMILY COURT,KOZHIKODE DATED 16-06-2012 APPELLANT/RESPONDENT: RADHAKRISHNAN, AGED 46 YEARS, S/O.KELAPPAN, KEYATH HOUSE, KIZHAKKUMMURI AMSOM, KAKKODI DESOM, KOZHIKODE-678 508. BY ADVS. SRI.K.S.HARIHARAPUTHRAN SRI.DIPU JAMES SRI.GEORGE MATHEW SRI.K.P.UNNIKRISHNAN (ELOOR) SRI.M.D.SASIKUMARAN RESPONDENT/PETITIONER: SUMANGALA,

AGED 40 YEARS, D/O.APPUKUTTY, KANATH HOUSE, KANOTTE P.O., KUNNAMANGALAM AMSOM, DESOM, KOZHIKODE-673 571. THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 26.07.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: C.M.Appln.No.3268/12 in Mat.Appeal No.783/12 & Mat.Appeal No.783/12 -:2:-

JUDGMENT

Shaffique, J.

This appeal was filed as early as on 17/10/2012 with a

petition to condone delay of 38 days in filing the appeal. Notice was ordered in the delay petition as well as notice on admission was ordered in the appeal on 3/1/2013. So far, no steps had been taken by the counsel appearing for the appellant. Today, when the case is taken up, learned counsel for the appellant seeks time. We do not think that any indulgence need be shown. This matter had been pending since last more than 6 years and when no attempt is made to prosecute the matter, there is no reason to show any further indulgence.

The application to condone delay and the Mat.appeal are therefore dismissed for non prosecution. A.M.SHAFIQUE JUDGE N.ANIL KUMAR Rp //True Copy// JUDGE PS to Judge

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