

**STATE OF KERALA
IN THE SUBORDINATE JUDGE'S COURT, ERNAKULAM**

**Present :
Priyanka.S., Additional Sub Judge – I**

Saturday, the 27th day of August, 2022/ 5th Bhadra, 1944

OS No.02/2021

Plaintiffs:

1. Joby Antony, aged 54 years, S/o.S.J.Antony, Sankoorikal House, Njarakkal, Pin-682505 and permanently residing at No.62, near Shooting Bungalow, behind Wida School Bus Stop, Nagasundra Post, Bangalore-560073.
2. Manju Joby, aged 47 years, W/o.Joby Antony, Sankoorikal House, Njarakkal, Pin-682505 and permanently residing at No.62, near Shooting Bungalow, behind Wida School Bus Stop, Nagasundra Post, Bangalore-560073.

**By Advs. Denu Joseph, Saji Mathew,
Bibin Babu**

Defendant:

Sajan Babu, aged 63 years, S/o.Vellassery Damodaran, Njarakkal, Pin-682505, permanently residing at Vellassery House, S.R.A.30, Santhi Nagar, Marottichuvadu, Edappally.P.O., Kochi-682024.

By Advs. N.Retheesh, Suma Retheesh

PLAINT filed under Section 26 Order VII Rule 1 of the Code of Civil Procedure.

This suit coming on for hearing before me on 27.08.2022 and the Court on the same day delivered the following :

J U D G M E N T

Both sides represented. Matter settled in FAO 49/2022.

Received the order dated 28.06.2022 in FAO 49/2022 of the Hon'ble High Court.

Matter was settled in Mediation and FAO 49/2022 was decided in terms of the compromise arrived at.

Since 3rd clause in the terms was complied, IA 05/2022 was filed by plaintiffs to dismiss the suit as withdrawn and to refund the court fee. IA 05/2022 is allowed. Hence, suit is dismissed as withdrawn.

- The court fee shall be refunded to petitioner/plaintiff in terms of the judgment of Hon'ble High Court in FAO 49/2022.

- As per Clause No.5 of compromise and judgment in FAO 49/2022 the order of conditional attachment passed in this suit shall stand lifted and shall be communicated to authorities concerned.

Pronounced by me in the open Court on this the 27th day of August, 2022

Sd/-
Priyanka.S.
Additional Sub Judge – I

APPENDIX: Nil

Id/-

Additional Sub Judge – I

JUDGMENT
in
OS No.02/2021
Dated:27.08.2022