



2025:KER:31355

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

RP NO. 273 OF 2025

AGAINST THE JUDGMENT DATED 13.12.2024 IN Mat.Appeal NO.1036

OF 2014 OF HIGH COURT OF KERALA

REVIEW PETITIONERS/APPELLANTS IN MAT APPEAL:

- 1 SOUMYA
 AGED 30 YEARS
 D/O.PANKAJAKSHAN, GURUKULAM VEEDU, KOTTAKKAKOM,
 KOLLAM WEST VILLAGE, KOLLAM DISTRICT, PIN - 691001

- 2 HARSH (MINOR)
 AGED 10 YEARS
 REPRESENTED BY HIS MOTHER SOUMYA, GURUKULAM VEEDU,
 KOTTAKKAKOM, KOLLAM WEST VILLAGE, KOLLAM DISTRICT,
 PIN - 691001

BY ADV N.VIMALAN

RESPONDENTS/RESPONDENTS IN MAT APPEAL:

- 1 SANIL KUMAR
 AGED 35 YEARS
 S/O.SUNDARESAN, SANIL BHAVAN, TRA -88,
 MUNDAKKAL WEST, KOLLAM DIST, PIN - 691010



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2 SUNDARESAN
 S/O.PAPPU, SANIL BHAVAN, TRA -88, MUNDAKKAL
 WEST, KOLLAM DISTRICT, PIN - 691010

ADV.P.SIVANAD

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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SATHISH NINAN & SHOBA ANNAMMA EAPEN, JJ.

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R.P. No.273 of 2025

in

Mat.Appeal No.1036 of 2014

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Dated this the 10th day of April, 2025

ORDER

Sathish Ninan, J.

The appeal was disposed of by this Court as per judgment dated 13.12.2024. The appellant seeks for review of the judgment stating that, the deposition of the 1st respondent-husband that the gold ornaments were kept in his house was not taken note of by this Court while passing the impugned judgment. On such admission, the claim of the husband that, the wife was in possession of the ornaments, is improbable, it is contended.



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2. We have heard the learned counsel on either side.

3. The relevant portion of the deposition reads thus;

"ഹർജി കക്ഷിക്ക് ഉണ്ടായിരുന്നു എന്ന് നിങ്ങൾ പറയുന്ന സ്വർണ്ണം ഹർജി കക്ഷി നിങ്ങളുടെ വീട്ടിൽ തന്നെ ആയിരുന്നല്ലോ സൂക്ഷിച്ചിരുന്നത്? എന്റെ വീട്ടിൽ ആയിരുന്നു എങ്കിലും ഹർജി കക്ഷിയുടെ കൈവശം ആയിരുന്നു. ഞാൻ Gulf ൽ പോകുന്ന സമയം ഹർജി കക്ഷിതന്നെ കൈവശം വയ്ക്കുകയും കൈകാര്യം ചെയ്യുകയും ആയിരുന്നു."

As is evident therefrom, the husband maintained that, though the ornaments were kept in his house, it was under the custody of the wife. At paragraph 8 of the judgment, we have found the circumstances indicated that the ornaments were with wife. While arriving at such conclusion, this Court had also taken note of Ext.B1 photograph in relation to the betrothal function of



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husband's brother.

4. The Apex Court has repeatedly cautioned that a review is not to be an appeal in disguise or an attempted rehearing of the matter. At any rate, we do not find any merit in the contention.

5. We do not find any error apparent on the face of the record.

The review petition fails and is dismissed. No cost.

Sd/-

**SATHISH NINAN
JUDGE**

Sd/-

**SHOBA ANNAMMA EAPEN
JUDGE**

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