

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6122/2004
(From the judgement and order dated 11/07/2003 in CRP No. 1538/2002 of
The HIGH COURT OF KERALA AT ERNAKULAM)

REESHA RAVEENDRAN Petitioner(s)

VERSUS

NIRMALA RAVINDRAN & ANR. Respondent(s)

(With prayer for interim relief and office report)
(For final disposal)

Date: 30/01/2006 This Petition was called on for hearing today.

CORAM :

- HON'BLE MRS. JUSTICE RUMA PAL
- HON'BLE DR. JUSTICE AR. LAKSHMANAN
- HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s) Mr. M.T. George,Adv.

For Respondent(s) Mr. S.N. Bhat,Adv.

UPON hearing counsel the Court made the following

O R D E R

In our view the High Court could not have, in exercise of power under Section 115 of the Code of Civil Procedure, interfered with the finding of fact by the Commissioner which had been accepted by the trial court except on the limited grounds available in that section or under Article 227 as laid down by this Court in Baby vs. Travancore Devaswom Board & Ors. 1998 (8) SCC 310. Nevertheless

of
the
in our opinion the matter should be settled by the petitioner by paying a sum
Rs.3.50 lakhs to the respondent in full and final settlement of her claim to
property in question.

The matter is adjourned to 6.2.2006.

(Usha Bhardwaj)
Court Master

(Madhu Saxena)
Court Master