

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

&

THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

THURSDAY, THE 4TH DAY OF AUGUST 2016/13TH SRAVANA, 1938

RP.No. 1130 of 2015 () IN Mat.Appeal.852/2014

AGAINST THE ORDER/JUDGMENT IN Mat.Appeal 852/2014 of HIGH COURT
OF KERALA DATED 16-06-2015

REVIEW PETITIONER(S)/RESPONDENT:

K.K.RENJITH
S/O.KAMALOLBAVAN, KARIKKAKUZHI HOUSE,KOTTAPPADY KARA
AND VILLAGE, KOTHAMANGALAM TALU,
ERNAKULAM DISTRICT 686 691

BY ADVS.SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE
SMT.ACHU SUBHA ABRAHAM
SMT.K.R.MONISHA

RESPONDENT(S)/APPELLANT:

ANU MARIA PAUL
D/O.PAUL, PAUL NIVAS, MANNOOR KARA, KEEZHILLAM P.O,
IYRAPURAM VILLAGE, KUNNATHUNADU TALUK 683541

R BY SRI.PEEYUS A.KOTTAM

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 04-
08-2016, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.K.ABDUL REHIM & K.RAMAKRISHNAN, JJ.

RP .No. 1130 of 2015

Dated this the 4th day of August, 2016

ORDER

Abdul Rehim,

The judgment in the appeal is sought to be reviewed mainly on the ground that the review petitioner was not heard at the time of disposal of the appeal. According to the review petitioner, the non appearance was not wilful or deliberate. We notice that, despite non appearance of the review petitioner at the time of disposal of the appeal, this court had gone deep into merits of the matter and decided the appeal by remitting the matter for fresh disposal by the Family Court. Since the contentions raised in the appeal was considered on merits, it cannot be said that any prejudice has been caused to the review petitioner/respondent due to his non appearance.

2. Learned counsel for the review petitioner conceded that, pursuant to remand the parties have adduced evidence before the Family Court and the matter now stands posted for

pronouncing judgment.

3. Considering the circumstances as mentioned above, we do not find any merit in the review petition. Consequently the above Review Petition is hereby dismissed.

4. It is made clear that the parties will be at liberty to challenge the judgment if any passed by the Family Court in appropriate proceedings.

C.K.ABDUL REHIM, JUDGE

K.RAMAKRISHNAN, JUDGE

Pmn/

