

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

SPECIAL LEAVE PETITION (CIVIL) DIARY NO(S). 41601/2023

(Arising out of impugned final judgment and order dated 02-03-2023 in OPC No. 1055/2019 passed by the High Court Of Kerala at Ernakulam)

PREMAKUMARI T. K.

Petitioner(s)

VERSUS

V. D. PRAKASAN (DIED) THROUGH LRS &amp; ORS.

Respondent(s)

(IA No.223416/2023-CONDONATION OF DELAY IN FILING and IA No.223414/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.223415/2023-EXEMPTION FROM FILING O.T.)

Date : 03-11-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. R. Basant, Sr. Adv.  
Mr. Manikantan M R, Adv.  
Mr. Jagal Bose T, Adv.  
Ms. Sandhya V, Adv.  
Mr. A. Karthik, AOR  
Mr. Vishnu Pazhanganat, Adv.  
Ms. Smrithi Suresh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

No ground for interference is made out to exercise our jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is dismissed. However, we make it clear that the observation made are *prima facie* in nature

and therefore, will not have any bearing in the suit. We further observed that at the time of deciding the suit if the Trial Court is of the view that further assistance from the Advocate Commissioner is required with the assistance of surveyor, it is well open to do so notwithstanding the impugned order passed along with the findings/observations made thereunder.

Pending application(s), if any, stand(s) disposed of.

(KAVITA PAHUJA)  
COURT MASTER (SH)

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)