

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

&

THE HONOURABLE MRS. JUSTICE M.C.HARI RANI

FRIDAY, THE 29TH MAY 2009 / 8TH JYAISHTA 1931

Mat.Appeal.No. 155 of 2003

OP.33/2003 of FAMILY COURT, MANJERI

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PETITIONER: APPELLANT/RESPONDENT

ELAMKULAM NASAR,
S/O. MOIDUPPA, AGED 37 YEARS, E.K.C.STORES,
EDAKKARA BAZAR, EDAKKARA AMSOM,
NILAMUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENT): PETITIONER

PALLATTIL HAJIRA, D/O. MOIDEENKUTTY HAJI
AGED 30 YEARS, PALLATTIL HOUSE, BALAMKULAM,
P.O.KARAPURAM, EDAKKARA AMSOM, NILAMBUR TALUK,
MALAPPURAM DISTRICT.

ADV. SRI.S.V.BALAKRISHNA IYER, SENIOR ADVOCATE
SRI.P.B.KRISHNAN

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD
ON 29-5-2009 , THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT & M.C. HARI RANI,JJ

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M.A. NO. 155 OF 2003

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DATED THIS THE 29TH DAY OF MAY 2009

JUDGMENT

Basant,J.

There is no representation for the appellant today also. Same was the story when the matter came up on 25-5-2009. The learned counsel for the appellant had submitted earlier that the matter has been settled between the parties and a joint application has been filed. Counsel for the respondent submitted on that day that he has no such information of such settlement or of such joint application. The Registry has noted that no such joint application is seen placed in the file. Thereafter, there has been no expectation for the application.

2. The inference appears to be irresistible that the appellant is not interested in prosecuting the appeal filed as early as in 2003. This appeal is in these circumstances dismissed for non-prosecution.

R. BASANT, JUDGE

M.C. HARI RANI,JUDGE

ks.

WPC.

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ks.