

Kerala High Court

State Of Kerala vs Haneefa Bai on 25 May, 2010

IN THE HIGH COURT OF KERALA AT ERNAKULAM

LA.App..No. 1454 of 2007()

1. STATE OF KERALA

... Petitioner

Vs

1. HANEEFA BAI, TC 3/36, MOSQUE LANE,

... Respondent

For Petitioner :GOVERNMENT PLEADER

For Respondent :SRI.ISSAC NINAN

The Hon'ble MR. Justice PIUS C.KURIAKOSE

The Hon'ble MR. Justice C.K.ABDUL REHIM

Dated :25/05/2010

O R D E R

PIUS C.KURIAKOSE & C.K.ABDUL REHIM, JJ.

L.A.A.No. 1454 OF 2007

Dated this the 25th day of May, 2010

JUDGMENT

Pius C.Kuriakose, J.

Even though various grounds have been raised assailing the judgment of the Reference Court, having scanned the impugned judgment, we are of the view that it is more or less the correct market value of the property that has been arrived at by the learned Sub Judge. In fact, this case was referred to Lok Adalat hoping that it will be possible to settle the issue between the parties upon the Government paying the amount as decreed by the court below as on the date of filing of the appeal within a short period. The settlement did not materialise since the claimant was absent.

2. Under the above circumstances, we dismiss the appeal confirming the award of the court below. However, we direct the Execution Court to explore the possibility of a settlement, before coercive process is issued in execution by directing the Government to deposit the amount due as on 1/8/2007 within a short time and reciprocally directing the claimant to receive that amount in full and final settlement.

The appeal stands dismissed with directions.

PIUS C.KURIAKOSE,JUDGE C.K.ABDUL REHIM , JUDGE dpk PIUS C.KURIAKOSE & C.K.ABDUL REHIM, JJ.

----- L.A.A.No. 828 OF 2002

JUDGMENT 25th May, 2010.

PIUS C.KURIAKOSE,JUDGE C.K.ABDUL REHIM , JUDGE dpk PIUS C.KURIAKOSE,JUDGE C.K.ABDUL REHIM , JUDGE dpk PIUS C.KURIAKOSE,JUDGE C.K.ABDUL REHIM , JUDGE dpk