

ITEM NO.45

COURT NO.12

SECTION XI-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 30320/2019

[Arising out of impugned final judgment and order dated 22-08-2019 in RFA No. 5/2010 passed by the High Court of Kerala at Ernakulam]

IBRAHIM

Petitioner(s)

VERSUS

K.A. MOHAMMED & ANR.

Respondent(s)

Date : 14-02-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Jayanth Muth Raj, Sr. Adv.
Mr. Nishe Rajen Shonker, Adv.
Mr. Mohammed Sadique T.a., AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.

For Respondent(s) Mr. Anil Koushik, Sr. Adv.
Mr. Abhilash.m.r, Adv.
Mr. Sayooj Mohandas.m, Adv.
Ms. Sandra Jaison, Adv.
Mr. Vishal Arun, AOR

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

Heard learned senior counsel for the petitioner and the respondents.

This is a pure civil matter. Though the High Court has upheld the finding of the Trial Court but instead of granting a decree of specific performance, directed that an amount of Rupees five lakhs has to be given to the petitioner-plaintiff and the said amount is liable to be returned with an interest of 12% per annum and in addition, another Rupees five lakh has to be given to the

petitioner-plaintiff which shall be paid by the defendants-respondents as compensation and in default, petitioner-plaintiff is entitled to recover the same with an interest of 12% per annum.

We see absolutely no reason to interfere with the order/judgment of the High Court, in exercise of our jurisdiction under Article 136 of the Constitution of India.

The present petition is, accordingly, dismissed along with pending application(s), if any.

(NIRMALA NEGI)
COURT MASTER (SH)

(RENU BALA GAMBHIR)
ASSISTANT REGISTRAR