

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. _____ OF 2026
(arising out of SLP(C) No.2326 of 2026)**

PHILOMINA & ORS.

APPELLANT(S)

VERSUS

PETER

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The appellants challenge the impugned judgment dated 24.06.2025 in RFA No.608 of 2015 passed by the High Court of Kerala at Ernakulam.
3. Learned counsel for the parties submits that all disputes and differences between the parties have been amicably resolved, and they have decided to part ways on certain terms and conditions.
4. We appreciate the efforts put in by Mr. P.T. Girijan, learned Mediator, Kerala High Court Mediation and Conciliation Centre and also learned counsel for the parties in helping the parties arrive at an amicable settlement.
5. The terms and conditions of the Settlement Agreement dated 23.05.2026 reads as under:

“1. The original extent of the property of the parties, as per Document No. 1111/1968 of SR0 Ernakulam situated in Sy.No. 563/1 Resurvey No. 69/8 Block 02 of

Mulavukad Village, Kanayannur Taluk, Ernakulam District was 5.969 Ares (14.750 cents).

2. The petitioners and the Respondent agree to partition the property involved in the dispute. After surrendering certain land for road widening, the remaining 5.891 Ares (14.578 cents) shall be partitioned. The appellants jointly and respondent individually allotted separate plots with exclusive ownership and possession, as described below. A Survey Measurement Plan dated 22.05.2026, prepared by Mr. Omanakuttan, Private Surveyor in accordance with the terms of this settlement, is attached as Annexure C-1. The parties agree that the accompanying C-1 Plan shall be made a part of the decree to be passed by this Honourable Court.

Allotment of Property to Petitioners jointly as per Survey Measurement Plan - Annexure (C-1)

Petitioners in SLP	Total extent	Plot Number
1. Philomina 2. Mercy 3. Lincy 4. Rosy 5. Tessy 6. Mary Jasmine	2.870 Ares (7.091 cents)	A

Allotment of Property to Respondent
individually as per Survey
Measurement Plan - Annexure C-1)

Respondent in SLP	Total extent	Plot Numbers
Peter	2.680 Ares (6.622 cents)	B
Peter	0.180 Ares (0.444 Cents)	C

A. The petitioners jointly have allotted a total extent of 2.870 Ares (7.091 cents) of properties, shown as "Plot A" in the attached plan is allotted to their share and they shall have exclusive ownership, title and possession over the said extent.

B. The, property having an extent of 2.680 Ares (6.622 cents) shown as "Plot B" in the attached plan is allotted to the share of the respondent and he shall have exclusive ownership, title and possession over the said extent.

C. The property having an extent of 0.180 Ares (0.444 cents) shown as "Plot C" in the attached plan is allotted to the share of the respondent and he shall have exclusive ownership, title and possession over the said extent.

D. The property having an extent of 0.170 Ares (0.420 cents) shown as "Plot D" in the attached plan is designated as a common way, for the exclusive use of the petitioners and respondent.

E. The petitioners and the respondent agree that they will not make any claim over each other's property and shall be entitled to erect permanent boundaries for their respective plots, if necessary as allotted in the attached C-1 Plan.

F. The petitioners and the respondent acknowledge and agree that they have received physical possession of their respective shares of the properties and now none of the parties have any claim or concern with respect to the schedule or plots of land allotted to the other parties and therefore pray that delivery of possession through the court may be dispensed with. In the event of any dispute, the aggrieved party may file an appropriate petition in the appropriate court for execution.

G. The petitioners and the respondent pray that the mediation settlement agreement, along with the judgment to be passed by this Hon'ble Court, be treated as the decree for all intents and purposes, and that the concerned Registry may be directed to engross the final decree in accordance with the Rules.

H. The parties pray that a certified copy of the decree/judgment be forwarded to the Sub-Registrar's Office, Ernakulam, for recording the final decree for official purposes."

6. In view of the above, the following directions are issued:

- i) All the legal proceedings pending *inter se* the parties, if any, shall stand closed;**
- ii) The impugned judgment dated 24.06.2025 shall stand modified accordingly;**

- iii) Decree be drawn up accordingly;
- iv) It goes without saying that both parties will continue to abide by the terms of the Settlement Agreement without any exception;
- v) The terms of the Settlement Agreement are binding upon the parties. The parties undertake to abide by the same; and
- vi) The parties, through their learned counsel present in the Court, have been made aware of the consequences of breach of such terms, including the initiation of contempt proceedings.

7. Accordingly, the present appeal is disposed of.

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

.....J.
(SANJAY KAROL)

.....J.
(AUGUSTINE GEORGE MASIH)

NEW DELHI;
30-07-2026.

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).2326/2026

[Arising out of impugned final judgment and order dated 24-06-2025 in RFA No.608/2015 passed by the High Court of Kerala at Ernakulam]

PHILOMINA & ORS.

PETITIONER(S)

VERSUS

PETER

RESPONDENT(S)

IA No. 1415/2026 - EXEMPTION FROM FILING O.T.

Date : 30-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KAROL

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Mr. V. Chitambaresh, Sr. Adv.

Mr. Govind C. Venugopal, Adv.

Mr. Tom Joseph, AOR

Mr. Prashant Bhardwaj, Adv.

Ms. Kristen Sleeth, Adv.

For Respondent(s) :

Mr. P B Krishnan, Sr. Adv.

Ms. Swathi H. Prasad, AOR

Ms. Anila T Thomas, Adv.

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

1. Leave granted.
2. The appeal is disposed of in terms of the signed order which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(SOURAV PAL)
SENIOR PERSONAL ASSISTANT

(ANU BHALLA)
COURT MASTER (NSH)