

GAHC010103822024



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : I.A.(Civil)/1553/2024**

ASSAM STATE TRANSPORT CORPORATION (ASTC)  
REPRESENTED BY ITS MANAGING DIRECTOR, PALTAN BAZAR,  
GUWAHATI , ASSAM, 781008

VERSUS

KAMALA TAMULI,  
S/O LATE GULAP TAMULI, RESIDENT OF VILLAGE KAGAJ NAGAR  
JAGIROAD, PO AND PS JAGIROAD, DIST MORIGAON, ASSAM 782410

**For the applicant (s) : Mr. G. C. Borah, Advocate**

For the respondent (s) : Mr. R. Sarma, Advocate

BEFORE  
**HON'BLE MR. JUSTICE DEVASHIS BARUAH**  
O R D E R

27.05.2024

This is an application under Order XXIII Rule 3 of the Code of Civil Procedure for passing a decree on compromise.

2. It has been brought to the attention of this Court by both the counsels appearing on behalf of the parties that an agreement had

already been entered into between the appellant and the respondent on 29.04.2024 whereby certain terms and conditions have been duly recorded at Sl. Nos.1 to 4 of the said agreement enclosed as Annexure-1 to the instant application. Briefly stated, in terms with the said agreement, the appellant herein have agreed to pay an amount of Rs.4,50,000/- by way of a single installment within 7 days from the date of the order passed in the instant Interlocutory Application through the Registry of this Court and the respondent herein would be at liberty to withdraw the same.

3. Taking into account that the said deed of compromise has been arrived at without any coercion or undue influence, this Court accepts the instant compromise as has been validly executed and accordingly, a compromise decree is being passed in terms with Annexure-1 to the instant application. The terms of the Annexure-1, more particularly at Sl. No.1 to 4 shall be part of the decree to be passed.

4. Accordingly, the accompanying Appeal stands disposed of on the basis of the said compromise.

5. The Registry shall also register the accompanying Appeal and the instant order shall be a part of the order passed in the accompanying appeal upon being registered.

6. Upon deposit of the amount as per the compromise, the Registry shall permit the withdrawal of the said amount by transfer to the account of the respondent after making proper verification. The counsel for the respondent shall produce the relevant bank details before the Registry.

7. In view of the above, the instant I.A. stands disposed of and the

accompanying appeal stands decreed on compromised.

8. The Registry shall prepare a decree.

**JUDGE**

**Comparing Assistant**