

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

A.S.M.P.No.681 of 2015

in/and

APPEAL SUIT No.938 of 2000

and

CROSS OBJECTIONS (SR) No.47168 of 2000

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16.04.2015

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A.S.No.938 of 2000 and A.S.M.P.No.681 of 2015:

Between:

Komatineni Jyothi and another

...Appellants

And

Komatineni Lavanya Kumari and another

...Respondents

Counsel for the appellants: Mr.Posani Venkateswarlu

for Mr.Posani Subba Rao

Counsel for respondents: Mr.Nimmagadda Venkateswarlu

CROSS OBJECTIONS (SR) No.47168 of 2000:

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Between:

Komatineni Lavanya Kumari ...Cross Objector

And

Komatineni Jyothi and others

...Respondents

Counsel for the Cross Objector: Mr.Nimmagadda Venkateswarlu

Counsel for respondent Nos.1 and 2:Mr.Posani Venkateswarlu
for Mr.Posani Subba Rao

Counsel for respondent No.3: --

The Court made the following:

COMMON JUDGMENT:

A.S.No.938 of 2000 arises out of the judgment and decree, dated 29.10.1999 in O.S.No.21 of 1992 on the file of learned Senior Civil Judge, Kavali.

The parties are hereinafter referred to as they are arrayed in A.S.No.938 of 2000.

Appellant No.2 as well as respondent No.1, who are the surviving parties, filed A.S.M.P.No.681 of 2015, wherein it is, *inter alia*, mentioned that with the

intervention of elders, the dispute was settled and accordingly, a partition deed was executed on 17.01.2014 through document No.1023/2014 registered in the office of the District Registrar, Guntur; that as per the said deed, item No.4 of the suit schedule properties has fallen to the share of respondent No.1 and item Nos.1, 2 and 3 of the suit schedule properties have fallen to the share of appellant No.2 and that the possession of the respective shares was also delivered to the parties. Both the parties have, therefore, prayed for disposal of the appeal in terms of the compromise.

A perusal of the memorandum of compromise filed along with A.S.M.P.No.681 of 2015 shows that the same was signed not only by the parties viz., appellant No.2 and respondent No.1, but also by their respective counsel.

Though the parties are not present, Mr.Posani Venkateswarlu, learned counsel representing Mr.Posani Subbarao, learned counsel for appellant No.2 and Mr.Nimmagadda Venkateswarlu, learned counsel for respondent No.1, have informed the Court that the aforesaid partition deed was executed and signed by both the parties in their presence.

In view of the above facts, A.S.M.P.No.681 of 2015 is ordered recording compromise. Consequently, A.S.No.938 of 2000 is disposed of in terms of memorandum of compromise filed along with A.S.M.P.No.681 of 2015 and partition deed, dated 17.01.2014. The Registry shall accordingly draft the decree in terms thereof. Consequently, Cross Objections (SR) No.47168 of 2000 are also disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

16th April, 2015

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