

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

ASMP.No.508 of 2015
in/& Appeal Suit No.370 of 1997

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Dated 02.04.2015
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Between:

Koripalli Lakshminarasamma (Died)

K.Ramana and 12 others

...Petitioners/Appellants

and

Chigulla Vasudevamma and 5 others

...Respondents

Counsel for the Appellants: Mrs.M.Bhaskara Lakshmi

**Counsel for respondent Nos.1, 4 to 6: Mr.S.Ganesh
for Mr.K.Krishna Mohan Rao**

The Court made the following:

Common Order:

A.S.No.370 of 1997 arises out of the judgment and decree, dated 03-08-1996, in OS.No.57 of 1987, on the file of the Court of the learned Additional Senior Civil Judge's Court, Srikakulam.

During the pendency of the said Appeal, appellant Nos.1, 5, 6, 8 and 9 and respondent No.1 have died. The legal representatives of these deceased parties have been brought on record. By Order, dated 17-04-2001, the Appeal has been dismissed for default *qua* respondent Nos.2 and 3.

The surviving parties and the legal representatives of the deceased parties, who were brought on record, on either side have jointly filed ASMP.No.508 of 2015 to record the Memorandum of Compromise annexed thereto and pass the decree in the Appeal in terms thereof.

In the affidavit, filed in support of the aforesaid ASMP, the appellants have stated that with the intervention of the elders, the surviving parties including the legal representatives of the deceased parties have entered into a compromise and that the Memorandum of Compromise signed by all the parties is filed along with the ASMP with the prayer to record the same and pass the decree in the Appeal in terms thereof.

At the hearing, Mrs.M.Bhaskara Lakshmi, learned Senior Counsel for the appellants, and Mr.S.Ganesh, learned Counsel representing Mr.M.Krishna Mohan Rao, learned Counsel for the respondents, have affirmed the compromise between the parties.

In view of the same, as the learned Counsel on both sides have confirmed and also signed the Memorandum of Compromise, I do not find the necessity of summoning the parties for further confirmation.

Accordingly, ASMP.No.508 of 2015 is allowed, the Memorandum of Compromise annexed thereto is taken on

record and AS.No.370 of 1997 is disposed of in terms of the said Memorandum of Compromise with the direction to the Registry to incorporate the terms and conditions of the said Memorandum of Compromise in the decree in AS.No.370 of 1997.

As a sequel to disposal of the Appeal, interim order, dated 10-04-1997, is vacated and ASMP.No.4440 of 1997 is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 2nd April, 2015

LUR