

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

C.C.C.A.No.44 of 2010

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JUDGMENT:

This appeal is filed aggrieved by the judgment and decree dated 04.12.2009 in O.S.No.682 of 2005 on the file of XII Additional Senior Civil Judge, Secunderabad.

2) Heard Sri P.Nageswararao Rao, learned counsel for the appellant/2nd defendant, 1st respondent since died, represented by his legal representatives as respondents 3 to 5 in person and also representing by Sri T.Rajinikanth Reddy and the 2nd respondent/1st defendant appeared in person.

3) Perused the joint memo of compromise wherein the parties stated that the legal representatives of the sole plaintiff, who are respondents 2 to 5 agreed to withdraw the suit claim and withdraw the amount deposited pursuant to the decree of the trial Court in O.S.No.682 of 2005, of Rs.3,70,000/- lying in the Court deposit unconditionally and without objection from defendants 1 and 2 herein i.e., appellant and 2nd respondent to the appeal and thereby no claims against each other. Hence, prayed to dismiss the suit by allowing the appeal to that extent.

4) Accordingly, the appeal is allowed to the extent of the terms of joint memo. Terms of compromise memo be appended to this order as part of compromise decree.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:09-12-2015

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