

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

ASMP.No.81 of 2015

In/and

AS.No.294 of 2006

Date:29.01.2015

Between:

Kurma Malla Goud,
S/o Pocha Goud and others.

**..... Applicants/
Appellants**

And:

Ghanshyamdas Bajaj Seetharam Bajaj,
and others.

.....Respondents

Counsel for the applicants/appellants: Sri V.Ravi Kiran Rao

Counsel for the Respondents: Sri T.Ramulu

The Court made the following:

COMMON ORDER:

This Appeal arises out of judgment and decree, dated 28.11.2005, in O.S.No.5 of 1997 on the file of learned Additional Senior Civil Judge (Fast Track Court), at Luxettipet.

Originally, the appeal was filed by the unsuccessful sole plaintiff against two defendants. During the pendency of the appeal, both the appellant and respondent Nos.1 and 2 died. Subsequently, appellant Nos.2 to 5 and respondent Nos.3 to 7 were brought on record in place of the deceased parties.

Both the parties have filed A.S.MP.No.81 of 2015 for decreeing the suit in favour of the appellants in terms of the memorandum of compromise, dated 19.01.2015, by setting aside the judgment and decree under appeal. The memorandum of compromise, signed by the appellants as well as the respondents and the learned counsel representing them, has been filed.

At the hearing, all the five appellants as well as the five respondents are present. They have informed the Court that they have voluntarily entered into compromise.

In the light of the above facts, ASMP.No.81 of 2015 and A.S.No.294 of 2006 are allowed. The judgment and decree under appeal are set aside and the suit is decreed in terms of the memorandum of compromise.

As a sequel to disposal of the appeal, ASMP.Nos.2301 to 2303 of 2014 filed by the appellants for interim relief are disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*29th January 2015
DR*