

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

A.S.M.P.No.461 of 2015

in/and

APPEAL SUIT No.297 of 2011

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25.03.2015

Between:

Bommena Sunanda and others

...Appellants

And

Bommena Gangamma and others

...Respondents

Counsel for the appellants: Sri K.Venu Madhav

Counsel for respondent Nos.1 to 6, 9 & 11: Sri M.Rajamalla Reddy

Counsel for respondent Nos.7, 8, 10 & 12 to 15: None appeared

The Court made the following:

COMMON JUDGMENT:

A.S.No.297 of 2011 arises out of the judgment and decree, dated 26.10.2009, in O.S.No.22 of 2006 on the file of learned V Additional District Judge, Karimnagar.

Both parties have filed A.S.M.P.No.461 of 2015 for recording compromise and for allowing the appeal suit in terms of compromise, by setting aside the judgment and decree, dated 26.10.2009, in O.S.No.22 of 2006 on the file of learned V Additional District Judge, Karimnagar. Along with the A.S.M.P., memorandum of compromise, dated 22.02.2015, signed by the appellants and the respondents has been filed.

At the hearing, all the parties are personally present and they have submitted that they entered into compromise out of their own free will and consent. Sri K.Venu Madhav and Sri M.Rajamalla Reddy, learned counsel appearing for the respective

parties, submitted that the shares of respondent Nos.7 to 15 were excluded from the memorandum of compromise and that therefore, they are not necessary parties.

In view of the above facts, A.S.M.P.No.461 of 2015 is ordered recording compromise. Consequently, A.S.No.297 of 2011 is allowed in terms of compromise, vide memorandum of compromise, dated 22.02.2015, filed in A.S.M.P.No.461 of 2015, by setting aside the judgment and decree, dated 26.10.2009, in O.S.No.22 of 2006 on the file of learned V Additional District Judge, Karimnagar.

As a sequel to allowing the appeal suit, interim order, dated 07.06.2011, in A.S.M.P.No.1043 of 2011 is vacated and A.S.M.P.No.1043 of 2011 filed by the appellants for injunction shall stand disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

25th March, 2015

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