THE HON'BLE SRI JUSTICE K.C.BHANU
AND
THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

A.S.M.P.No.1087 OF 2014 IN A.S.No.833 of 2012
AND
APPEAL SUIT No.833 OF 2012

JUDGMENT: (per Hon'ble Sri Justice K.C.Bhanu)

A.S.No.833 of 2012, under Section 96 of the Code of Civil Procedure, 1908, is directed against the judgment and decree, dated 02.06.2012, in Original Suit No.28 of 2011 passed by the III Additional District Judge, Tirupati.

2. A.S.M.P.No.1087 of 2014 is filed jointly by both the parties to allow the main appeal by recording the Memorandum of Compromise between them which is annexed to the petition.

3. Appellants and the Authorized Signatory of the respondent Trust are present today in the Court hall. They produced identity cards in proof of their identity. They are also identified by their respective counsel. In the affidavit filed in support of the petition, it is stated that the parties have settled the dispute and Memorandum of Compromise has been entered into between them subject to certain terms and conditions, which read as follows:

> "1. The schedule house shall be property of the appellants henceforth and the regd. Gift deed bearing No.4119/1995 executed by father of the Appellants/Plaintiffs in favour of respondent/defendant shall stand cancelled.
>
> 2. The respondent states that it has no title or possession or any kind of right in respect of the schedule house in

OS which is bearing D.No.6-1-197, situated in Ward No.6, Tirupati Municipal Town, Ramachandra Colony, Sy No.27-1.

3. The costs of the suit and appeal shall be born by the parties themselves respectively."

4. The Authorized Signatory of the respondent Trust stated that the Trust has no objection to set aside the Gift Settlement Deed, dated 28.03.1995, executed by father of appellant Nos.1 and 2 and husband of appellant No.3 and the Trust will not claim any title or interest in respect of the schedule property mentioned in the Original Suit. He voluntarily agrees to compromise the matter in view of the fact that there was litigation in respect of the subject property.

5. There is no impediment to record the compromise. Therefore, A.S.M.P. is allowed and consequently, the appeal is allowed in terms of the compromise. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this appeal shall stand closed.

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K.C.BHANU, J

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M.SEETHARAMA MURTI, J

FEBRUARY 12, 2015

Note:

Registry to attach a copy of Memorandum of Compromise to the decree.

(B/o)

YVL

THE HON'BLE SRI JUSTICE K.C.BHANU

AND

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A.S.M.P.No.1087 OF 2014 IN A.S.No.833 of 2012

AND

APPEAL SUIT No.833 OF 2012

DATE: 12.02.2015

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