

HONOURABLE SRI JUSTICE M.SEETHARAMA MURTI

A.S.No.259 of 1997

JUDGMENT:

This appeal under Section 96 of the Code of the Civil Procedure, 1908 by the unsuccessful defendant is directed against the judgment and decree dated 31.10.1996 of the learned Subordinate Judge, Asifabad passed in O.S.No.16 of 1988 filed for recovery of money.

2. When the matter is taken up for hearing, Sri D.Bhaskar Reddy, Law Manager, The Singareni Collieries Company Limited, Hyderabad, representing the plaintiff and Sri P.P.Chakrabarty, Deputy General Manager (P&A), Steel Authority of India Limited, Chandrapur Ferro Alloy Plant, Chandrapur, representing the defendant are present before this Court. They have been duly identified by the learned Counsel appearing on their behalf.

3. The learned Counsel for the parties would submit that on a Court Referred Mediation, the parties have amicably settled the matter and that as per the settlement, a Joint Memorandum of Compromise was filed by the parties, wherein the plaintiff had agreed to receive Rs.3,10,658/- from the defendant towards full and final settlement and that as per the terms of compromise reduced into writing in the Joint Memorandum of Compromise, a Demand Draft dated 16.02.2016 drawn in favour of the plaintiff for the aforementioned amount was delivered by the representative of the defendant to the representative of the plaintiff present in Court. In view of the said settlement, both the parties pray that the Appeal Suit may be disposed of in terms of the Joint Memorandum of Compromise.

4. The parties have admitted the terms of compromise and also passing of the demand draft. This Court is satisfied that the parties had entered into compromise voluntarily with free will and consent.

5. Accordingly, the Appeal Suit is disposed of in terms of the compromise. A copy of the Joint Memorandum of Compromise shall be annexed to the decree. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE M.SEETHARAMA MURTI

18-02-2016

Gsn