

THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

**SAMP.No.645 of 2015
in/
and
SECOND APPEAL No.1574 of 2004**

JUDGMENT :

Hearing of the Second Appeal on motion is permitted. Since parties filed SAMP.No.645 of 2015 in S.A.No.1574 of 2004 together with a Memorandum of Compromise and earlier on 28.04.2015, by order of another learned single Judge of this Court, the matter was referred to Lok Adalat, at request of the parties and, as the same was not fructified. Now they filed a Memorandum of compromise with the terms appended in para-4, from clauses (II) to (V), since clause (I) overlapping clause (III) is struck off giving no sanctity to clause (I), from their understanding and acceptance on readover of the same as voluntarily entered and so far acknowledgement of Rs.1,40,000/- covered by clause (II) of para-4, by submitting the earlier Demand Draft bearing No.025025, dated 06.04.2015, is lapsed, that was cancelled and a fresh Demand Draft bearing No.025127, dated 07.11.2016, for Rs.1,40,000/- (Rupees one lakh forty thousand only) drawn on payee's Account in Andhra Pragathi Grameena Bank Limited, Throvagunta Branch, Prakasam District, in favour of the 3rd respondent – Sri Nalamothu Venkatadri, is now handed over in the open Court, received and acknowledged, and a copy of the said Demand Draft is

appended to the terms of Compromise, the compromise is recorded.

2. Accordingly, SAMP.No.645 of 2015 is allowed and the Second Appeal is disposed of in terms of the Memorandum of compromise. The said Memorandum of Compromise is appended as part of the decree. No order as to costs.

3. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

18.11.2016.
Msr

Dr. JUSTICE B. SIVA SANKARA RAO



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