

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

C.C.C.A. M.P. No.554 OF 2016

In/And

C.C.C.A. No.166 OF 2005

COMMON JUDGMENT:

C.C.C.A. M.P. No.554 of 2016 is filed to record compromise in terms of the joint memorandum of compromise between the parties.

2. Both the parties except respondent Nos.6 to 8 are present. Their learned counsel, respectively, and the learned Government Pleader for respondent Nos.6 to 8 are also present. They admitted the terms and conditions mentioned in the present petition filed under Order 23 Rule 3 read with Section 151 CPC and even made a request to record compromise as per the terms indicated. Certain terms and conditions have been mentioned in the present petition, which are admitted by the parties herein including condition No.4, which relates to either taking flat or taking the amount in lieu of the flat associated with yet another condition. Therefore, compromise is recorded between the parties as per the terms mentioned in the present petition. Ultimately, the parties sought to dismiss the appeal in view of the compromise.

3. Hence, C.C.C.A. M.P. No.554 of 2016 is allowed recording compromise as per the terms mentioned in this petition. However, the compromise entered into between the parties will not bind respondent Nos.6 to 8.

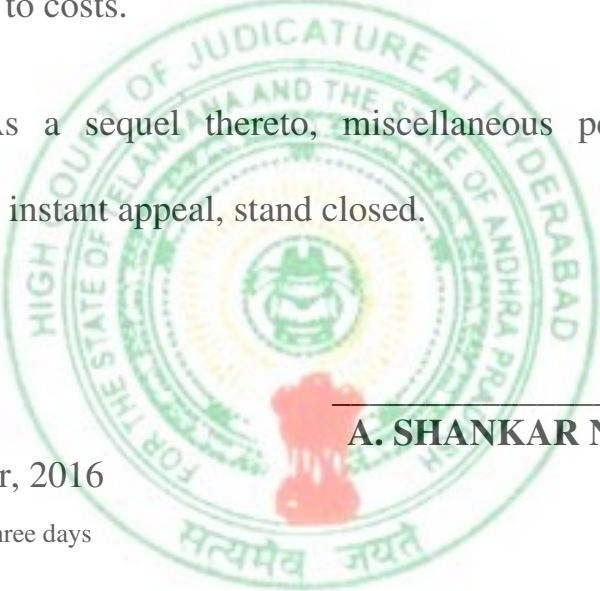
4. It is stated that the house in the premises was even vacated by the school authorities, but however, there is no finality in regard to vacation, as the learned Government Pleader, still, has to ascertain as to vacation by the school from the premises.

5. In view of ordering C.C.C.A. M.P. No.554 of 2016, by recording compromise between the parties, C.C.C.A. No.166 of 2005 stands dismissed. The compromise petition along with terms and conditions of compromise shall form part of the record. There shall be no order as to costs.

6. As a sequel thereto, miscellaneous petitions, if any pending in the instant appeal, stand closed.

27th September, 2016

Note: Issue CC in three days
B/O
siva

A. SHANKAR NARAYANA, J